


3 1761 11631152 3





Digitized by the Internet Archive  
in 2023 with funding from  
University of Toronto

<https://archive.org/details/31761116311523>











No. 83



N° 83

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 1 June 2006

# Journal des débats (Hansard)

Jeudi 1<sup>er</sup> juin 2006

Speaker  
Honourable Michael A. Brown

Clerk  
Claude L. DesRosiers

Président  
L'honorable Michael A. Brown

Greffier  
Claude L. DesRosiers





### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 1 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 1<sup>er</sup> juin 2006

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ONTARIO CHARACTER

**Mr. Tony C. Wong (Markham):** I move that, in the opinion of this House, the government of Ontario should declare the province of Ontario to be a "province of character" by encouraging the citizens of Ontario to foster a climate which promotes, supports and celebrates excellence in character in its schools, businesses, homes and community-based organizations in order to strengthen Ontario's families and communities.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Wong has moved private member's notice of motion number 16.

Pursuant to standing order 96, Mr. Wong, you have up to 10 minutes.

**Mr. Wong:** This is certainly a very exciting day for me. Before I start, I want to recognize two very important people, and I'm honoured they've joined us this morning: Lina Bigioni, executive assistant to regional chair of York region Bill Fisch and director of government relations, and Christine DeHaas, executive director of York Region Character Community Council. Just a personal note: I've known Lina for many, many years, and she has done such great, conscientious and impressive work for both Markham council and York region council that she is just a jewel for us.

The purpose of my resolution is to engage the citizens of Ontario, including elected officials, community leaders, businesses, school boards, health professionals and our youth in recognizing and promoting the importance of good character. By declaring Ontario a province of character, we would serve as an example for cities, towns and municipalities across the province to adopt a similar culture of good character. In a province of character, everyone works together to ensure that families are strong, neighbourhoods are safe, education builds character, and businesses are productive.

There are two very important people in York region who have spearheaded the character community initiative since, I guess, the year 2000.

Becoming a province of character is about defining and practising in our everyday lives a better way to be. It

means to show respect for one another, demonstrate good citizenship, teach our children how to participate responsibly in a civil society and foster democratic ideals of justice. There is a better way to build a strong spirit of community among Ontarians, and declaring the province to become a province of character is the first step in that process. By designating the province of Ontario as a character-building province, the government of Ontario would encourage the citizens and community leaders of the province to promote and foster excellence in character in all sectors of society.

As a province of character, the government of Ontario would work together with communities across Ontario to nurture positive character attributes such as respect, inclusiveness, honesty, fairness, compassion, integrity, initiative and responsibility. A province of character is one in which the elected officials, community leaders, business leaders, school boards, health professionals and citizens recognize and promote the importance of good character. In a province of character, everyone works together to ensure that families are strong, streets and neighbourhoods are safe, education is effective, businesses in the community are productive, neighbours care about one another, and citizens continue to share the freedom to make wise and healthy choices for their lives and families.

I was saying that there were two very important people in York region who spearheaded this process, and of course I refer to my mayor—and I say that because I was on Markham and regional council before I was elected to the provincial level: Mayor Don Cousens. I would like to quote him:

"The character community initiative that we started five years ago in York region has become a movement that schools, businesses, families and communities are beginning to take seriously. Living with character affects everything we do, the way we drive, play sports and deal with family and friends."

"Good character is fundamental in all societies and has a common thread through every culture, language and religion. We are already seeing a difference in York region with anti-bullying and the way people work together more effectively."

"It would be a great step forward for the province to endorse this program."

Another very important person—my idol—is Dr. Avis Glaze, who was formerly with the York Region District School Board and subsequently worked in the Peterborough board of education, but recently joined the



Ontario Ministry of Education as the chief student achievement officer and CEO for the literacy and numeracy secretariat. She started this in the York region district board of education and subsequently educated us about character communities. She said:

"The qualities demonstrated by individuals affect the quality of our lives within our communities positively or negatively.

"To ensure that our society continues to be a just and harmonious place for all, it is important to find common ground on the values that are important to us.

"It matters—that we demonstrate qualities such as fairness, empathy, honesty, optimism each day. Employers often say that they want their future graduates to have initiative, to be honest and responsible. These qualities are taught and nurtured in homes, communities, churches, synagogues, mosques and temples.

**1010**

"It matters how we treat one another. It matters that our children know what we care about as members of our communities. It matters what kind of province and country we want to build for future generations.

"I have seen first-hand what it means to have a community of character. When individuals take these issues seriously, it has a positive impact on all that we do.

"There is a lot of generosity among Ontarians, but we cannot take it for granted. It is important for all of us to invest time in determining the kind of province our children and grandchildren will inherit—by creating it now.

"I strongly support this initiative."

This actually went back to five, six years ago. Weeks after the municipal election of 2000, Mayor Don Cousens spoke to me about this exciting idea as introduced by Dr. Avis Glaze. I was fortunate enough to have been invited by the mayor to be one of the two vice-chairs. My good friend Mayor Tim Jones from Aurora was the other vice-chair, and I think he still is vice-chair of the York region character council.

I am so proud that York region has taken this initiative. Another good friend of mine, Regional Chair Bill Fisch said, "In January 2002, York region became the first Canadian municipality to be declared a character community. Our nine area municipalities have all declared themselves to be communities of character. Since that time, York region residents, businesses, community groups and sports organizations continue to embrace the 11 principles of character community and make it an important part of their daily lives."

There's so much to say but there's so little time. And I just want to tell members the 11 attributes that York region has selected for its character community. They are respect, responsibility, honesty, integrity, compassion, courage, inclusiveness, fairness, optimism, perseverance and initiative. Both the York Region District School Board and York Catholic District School Board have implemented character education in their schools. Their school boards hosted a conference called Quest for Character, which brought together community leaders,

local politicians and educators. Former Ontario Premier, the Honourable David Peterson, a person of good character himself, made a strong case for a return to fundamental values in his keynote address, energizing the crowd with examples and a call to action.

York region's character community initiative was born out of that conference. Learning what they could from character communities in the United States, York region developed its own made-in-Canada model based on the principles that I've set out.

I want to say that it really is important for us to recognize the people who have done so much, but I will have to do it in my two-minute wrap-up. I do want to say that in York region there are a lot of positive impacts of a character community.

I just want to describe what happened with Recreationists of York Region, ROYR. They incorporated the spirit of character community initiative into their accreditation program, and Parks and Recreation of Ontario developed a program entitled High Five, a certification program that trains leaders in program development and evaluation. Embedded within the five principles are the character attributes and instruction for incorporating respect, responsibility, honesty, integrity, inclusiveness into programming for children.

Another group, the Ramer's Wood Co-op in Markham—the board of directors expressed concern that residents weren't taking an active role in the daily operation of the co-op. Vandalism was on the rise, and residents seemed to be turning a blind eye. By implementing character community, great things have happened and residents treated each other with great respect, sat on more committees, and encouraged each other to keep the co-op litter-free and—

**The Deputy Speaker:** Thank you. Further debate?

**Mr. Frank Klees (Oak Ridges):** I'm pleased to rise and speak to this motion presented by my colleague. I want to state at the outset that, of course, I will be supporting this resolution. I will be very direct in my remarks on this issue. I don't want the honourable member to take offence, because I believe he has introduced this in good faith, and he has done so twofold: first, to compliment and to recognize the good work of York region and the leadership of York region Mayor Cousens specifically and Mayor Tim Jones, both of whom I consider to be very good friends and have the highest regard for.

I too want to recognize Lina Bigioni and, as well, Christine DeHaas for their good work, because we know that often it's the staff who really drive the initiative. None of this would happen without that kind of support. I want to recognize, as well, the associates, those members of the character council who have been doing such great work: Steve Hinder and Doug Mottram, Errol Lee, Jacquie Hermans, Kathleen Redmond, Edward Nelles and, of course, Randy Taylor.

There are many others who are involved in this program. I often travel to schools throughout York region, and it's wonderful to see how our school boards have



taken on this issue of character communities. Many of them that I've seen have various halls and parts of the schools named after some of these character identifications. All of this is so important as we focus, not only as individuals, as families, as communities; as the honourable member states, we, as a province, should be having this character focus.

I will now move to what I believe is a challenge for this government, for all of us. I would point out that I would have worded this resolution somewhat differently. I would have worded it as follows: "That, in the opinion of this House, the government of Ontario should declare the province of Ontario to be a 'Province of Character' by," and is where I would change the wording. Instead of "by encouraging the citizens of Ontario to foster a climate which promotes ... character," I would have rather seen this to say, "by showing leadership on the part of members of the Legislature and the government to demonstrate character in how we do our business in this place and in the province of Ontario."

You know, it's unfortunate that often in government it's much easier to say to people, "Do it this way," rather than demonstrating how it's done. I would say to the honourable member that in the case of this government and his leader, it's simply not enough to say, "Do as I say." He would not often want to say, "Do as I do," because all too often over the last number of years since this Premier has been our Premier, he has been caught. He has been caught out of character and out of many of these character traits as are proposed under character attributes.

The honourable member listed some 11 character attributes, and don't we all agree that they are fundamental? But it's interesting that the character attribute for June is honesty. What I would ask the member to do, and all members in the Legislature to do, is to contemplate on the importance of honesty and demonstrating honesty as a lead characteristic for those of us who hold offices here and certainly for the Premier of this province. I want to bring the leader of this government face to face with what honesty means. I want to put it at his doorstep and remind him of a pledge that he made on September 11, 2003. He signed this pledge in the presence of literally millions of people because he did it as a demonstration in the middle of an election campaign of what his commitment was going to be.

1020

I read this pledge:

"I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise ... that I will not raise taxes or implement any new taxes without the explicit consent of Ontario voters," and further that, "I promise to abide by the Taxpayer Protection and Balanced Budget Act."

We know that Dalton McGuinty did not keep that promise. Broken promises are not part of the integrity definition, and they should not be part of a character province. They should not be part of a character Premier. They should not be part of a character government.

It's interesting that July is noted as Integrity Month, and so it should be, because integrity flows from honesty,

and integrity means having the courage and intestinal fortitude to tell it the way it is, to be forthright and direct and to show leadership based on principles. Principled leadership: that means not saying what you think people want to hear but saying what is right and showing leadership. Often, I question whether we have that kind of example coming out of this place.

August has the character attribute of compassion and would, as the prayer that you read at the opening of this session, Speaker, that we act and conduct our business in this place that would in fact represent social justice.

To that effect, I cannot leave this debate without pointing out the many hundreds of thousands of parents and children in this province to whom Mr. McGuinty made a promise in no uncertain terms about what he was going to do when he was Premier. This is a letter that was written by the Premier of this province to Nancy Morrison of Bradford:

"Dear Ms. Morrison:

"Thank you kindly for your e-mail requesting information on the Ontario Liberal Party's position on IBI treatment for autistic children. I appreciate the vital issues you raised and would be pleased to address them at this time.

"First of all, let me say that I admire your determination and all your hard work, not only on behalf of your son but all autistic children in our province. You have clearly put a lot of time and effort into ensuring that autistic children of all ages are able to enjoy the best ... quality education."

I go on, the same letter: "I also believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six. We are not at all confident that the Harris-Eves Conservatives care to devise any innovative solution for autistic children over six, especially those with best outcome possibilities that might potentially be helped within the school system with specially trained EAs.

"In government, my team and I will work with clinical directors, parents, teachers and school boards to devise a feasible way in which autistic children in our province can get the support and treatment they need. That includes children over the age of six."

I want to remind the people of the province, and I want to remind the honourable member and the honourable members of the government caucus that they have yet to step up to the plate and demonstrate the characteristics of compassion and integrity and honesty and follow through on that commitment that they made while on the campaign trail.

I quote Jeff Bostick in a letter to the editor, Toronto Star, April 2:

"Families of autistic children counted on Premier Dalton McGuinty, at election time, to keep his promise to fund the medically necessary treatment these kids so desperately need ... McGuinty has been exposed for what he is, a liar."

I'm quoting, Speaker. I would not personally say that. I am quoting from the newspaper article.



**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I'm reading directly from the standing orders [*failure of sound system*]:

"(h) Makes allegations against another member.

"(i) Imputes false or unavowed motives to another member.

"(j) Charges another member with uttering a deliberate falsehood."

This has been going on for the entire 15 minutes, very close to the line on a regular basis, and I would ask the member to fulfill his responsibilities of trying to avoid such discussion in this House.

**Mr. Klees:** On the same point of order, Mr. Speaker: I would suggest that while the government whip introduced this point of order, perhaps we could stop the clock so that we're not interfering with debate.

**The Deputy Speaker:** We have a couple of hours dedicated to private members' business, so I'd say get on with—

**Mr. Klees:** My point of order, in response to the member's comment: I, at no point—and I was very clear—made any reference to any issue that is contrary to any standing order. I was very specific that I was quoting other people to whom commitments were made. Speaker, from that standpoint, I have absolutely nothing to be in any way ashamed of with regard to my comments. In fact, I would suggest that if this is coming close to the nerve of the issue of integrity and honesty, then those who are being offended by it should take note.

I want to close my remarks by once again commending the member—

**The Deputy Speaker:** Have you finished your comment on your point of order?

**Mr. Klees:** I am. That's finished.

**The Deputy Speaker:** I've listened to the points of order. I'm inclined to suggest to all members that this is private members' business. We are all equal in here at private members' business. There are no ministers, no whips, no House leaders, so if we can attempt to keep our remarks in that fashion, I would appreciate it. What I'm saying is, let's just move on from here. Thank you.

The member for Oak Ridges.

**Mr. Klees:** Thank you, Speaker. I want to simply close my remarks by saying that I commend the member for bringing this initiative forward. I am simply suggesting that on the issue of character, we have a responsibility to show leadership before we ask anyone else to do anything with regard to that issue.

I commend York region for their initiative. I commend all who have been involved in demonstrating and advancing these character attributes. We look forward to the day when this government will do the same.

**Mr. Peter Kormos (Niagara Centre):** Needless to say, I found it somewhat ironic that a Liberal member of this Legislature would bring a resolution before this chamber talking about character, talking about setting examples, talking about raising the bar—what, the way Joe Volpe and Jim Karygiannis had when it comes to fundraising: cheques from 11-year-olds for \$4,500 a

crack? What, Gomery-style inquiry standards? Is this the kind of character we're talking about? Broken promises: Is this the kind of character-building we're talking about by the leadership of Dalton McGuinty? Make a promise to get what you want, to opportunistically seize an election event, but then break it as soon as you're elected.

I would suggest to the author of this resolution that if he wants to create higher standards of character in this province, he should ask his Premier to demonstrate, by action, appropriate character; to be forthright with the public; to keep promises once he makes them, whether it's promises not to raise taxes, whether it's promises to ensure that kids, once they reach the age of six, get IBI treatment for autism; whether it's the promise to control the rate of hydroelectricity—that would be a demonstration of character, if the Premier were to have kept that promise; whether it's the promise to show regard for democracy and enhanced debate—the Premier would be best suited to demonstrate some character by keeping that promise. The litany of broken promises goes on and on.

It is amazing that in a place where character seems to have so little value and importance to the highest levels of leadership in the province, this bill would be put forward without a smirk, or at the very least someone's tongue planted firmly in their cheek.

1030

**Mr. Tony Ruprecht (Davenport):** First, let me congratulate Mr. Wong for this resolution. He's right on when he says that in this province, in every one of our schools, every one of our children should be subjected to character education. I'm disappointed that the member from Oak Ridges and the member from Niagara Centre began to politicize the very important introduction of this bill by Tony Wong on a province of character. I am disappointed because they know better. They know better because we say, "Let him who is without sin throw the first stone. Let him who is the kettle call the other kettle black. Let him throw the first stone." We don't want to get into this, talking about broken promises by the Progressive Conservative Party or even, for that matter, what happened under Bob Rae. We don't want to talk about that. We're here to talk about a wonderful resolution by Tony Wong, who has introduced a private member's resolution on the province of character.

For too long we've taken character education for granted. For too long we've subjected our own children to learning about character by osmosis or by accident. As we know, we used to receive most of our character education not only from our parents, but also from our religious institutions, might they be churches or temples or synagogues. Now of course it's somewhat changed.

While I'm looking at the list of character ideas that have been introduced by my colleague—respect, inclusiveness, honesty, fairness, compassion, integrity, initiative and responsibility—there seems to be just one missing, which is almost all-inclusive, which Mr. Klees came very close to, and that is the idea of love.

We take a lot of our idea of character from biblical references, if you're a Christian. I remember one specific



story, even though I'm not a biblical scholar, about a man called Nicodemus. Do you remember that man? This man, Nicodemus, was sitting apparently in a tree—I don't think literally—and Jesus passed by, and Nicodemus said to Jesus, "Jesus, tell me what must I do to get to heaven?" Apparently Jesus answered, "Love your God with all your might, with all your strength, with all your soul, and love your neighbour as yourself." Looking at the character traits introduced by Mr. Wong, that idea of love is really all-inclusive in all of these characteristics.

It's easy, Mr. Speaker, to love you or to love our colleagues. You're all nicely dressed. You have money in your pockets. But how hard it would be sometimes to love some of the members here who are in opposition when they're politicizing an event like this. How hard it would be to go out and be fair to a squeegee kid or an unemployed immigrant. How hard it would be to open one's pocket to a beggar we meet even here in Toronto. How hard it would be to open one's door and be fair with a mentally challenged person. How hard it would be to be fair and to open one's door to a drug addict. How hard it would be—even in my own office, someone comes in, an older senior citizen who wants to actually kill himself, and he smells and the people sitting next to him are saying, "I wish that man wouldn't come in here because he smells." How hard it would be to open up that door and show some character.

We're all challenged with this as individuals. We're all challenged today by Tony Wong, who brings his resolution forward, as politicians and as persons to open our doors and to live in the province of character. That, to us, is a matter of congratulations to this member.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to have the opportunity to speak to the member from Markham's resolution before us today on the province of character:

"In the opinion of this House, the government of Ontario should declare the province of Ontario to be a 'province of character' by encouraging the citizens of Ontario to foster a climate which promotes, supports and celebrates excellence" in their communities.

I represent a riding, Haliburton–Victoria–Brock, that has stellar examples of people who have made initiatives to strengthen their communities. I wanted to mention a few. I wanted to mention Amy Terrill who received the Bernie Gillespie Memorial Award by the Ontario Chamber of Commerce in Hamilton. It recognizes excellence and work within their organization, which is the Kawartha Lakes Associated Chambers of Commerce, and the overall wellness of the community that she has promoted.

Paul and Robin Brown received the Ontario Farm Animal Council award with their children to raise awareness of the importance of agriculture.

There are all the Kawartha Lakes associations and volunteer administrators who received awards: the Easter Seals Society, the Boys and Girls Club of Kawartha Lakes and the Ross Memorial Hospital, just to name a few examples of stellar people in my community.

I want to remind the members of the Legislature that we are leaders in our communities and the examples we set are very important. When the Liberal government has gone out and made promises and broken over 50 of those promises to the people of Ontario, that is not an example we want to be setting.

**Mr. Michael Prue (Beaches–East York):** I read this resolution as it came across my desk, with the imploring of the member from Markham that people come forward to speak to this. I thought I had to come and speak to this. I have very mixed feelings—I'm going to explain—about supporting this bill.

Of course, at the outset, we should all be people of good character. I don't know of anyone who would say we should be people of bad character, or anyone who would espouse for us to do wrong things, or anyone who would condone those who do wrong things.

I've looked at the experience of York region and how this program seems to be working in that community. It's not unlike a program we used to have in East York, a program the citizens participated in, a program the citizens loved, and it was called the Good Neighbours community program. Every year, we would hold an awards ceremony. We would invite people to nominate their neighbours, people who had distinguished themselves within the community, within the neighbourhoods, by doing neighbourly deeds, by providing prime examples, by helping those who could not help themselves. It could be something as simple as taking a senior out to buy groceries, or helping someone who was disabled, or providing funds or working in the school free of charge. It was all kinds of things. We handed out those awards and we had a reception. It was a much loved institution. I do truly believe, even to this day, that it helped the safety and harmony of our community.

So when I looked at this resolution, I thought this is something along the same vein. But I have to say that I started to reflect about the community of East York and what existed in those days and, sadly, some of the bad things that are starting to happen in our community, in part, it may be said because we no longer have our own municipality, and in part because of the social conditions of Toronto, and in part it can also be said that what we used to strive for in terms of our community and our neighbourhood is no longer possible.

1040

By and large, 95% of the people from those days are still there, but they have seen a real change in our neighbourhoods. They have seen the megacity imposed. They have lost control over their council, their councillors, their mayor. They've lost control over the boards and committees on which they once belonged. They have seen that people from far away now make the decisions.

They have seen the bylaws that we used to have in our neighbourhood become subject to the city of Toronto, bylaws that we had that helped to make a safe community. We didn't allow pool halls. We did not allow adult entertainment. We did not allow the sale of adult videos in video stores and all of that proliferation. If you



lived in East York, you could be absolutely assured that none of that would happen in your community. But today, as part of the megacity, we have adult entertainment; as part of the megacity, we have pool halls. We didn't even have a bingo parlour in those days because we didn't want to facilitate gambling. All of those things that we had that helped to develop a safe community have now gone by the by. I think you can see that this has happened throughout Toronto and, in fact, throughout much of Ontario, as cities were amalgamated, as people lost control.

It's instructive that this resolution is coming from York region. I travel very often to York region. It is a beautiful place, but one of the things that would strike anyone who goes there is that it's largely brand new. If you go, you'll see row after row of beautiful homes in subdivisions that cost \$400,000, \$500,000 or \$600,000. You will not see on the face of a casual observer any poverty. You will not see on the face of a casual observer any kind of social upheaval. You'll see brand new schools, brand new subdivisions, gleaming malls. Everything looks fine. I would suggest it's pretty easy in a place like that to have a community of character. I think that for York region it's probably a good thing to have instituted this.

But I want the member opposite, and all people thinking about this, to contrast that with the reality of far too many places in this province. I had an opportunity last week to go to Attawapiskat, where the only high school in the north has been closed for seven years. Nobody has a high school and there's nowhere to teach this kind of stuff. I want to contrast that with the town of Kashechewan, which has, for the third time this year, been forced to evacuate its residents. I want you to contrast it with downtown Toronto. There was a question in this very Legislature yesterday about vermin and rats in a school, about asbestos that the kids have to breathe in, about the mould growing in the corners and the tiles falling off the roof.

I want to ask the member and everyone, how is this kind of life going to build citizens of character, that kind of life in the inner city, with so many people forced on to ODSP, on to general welfare, where the levels of unemployment are infinitely higher than they are in the suburbs? How can the society in which they live, in which welfare rates have been virtually frozen, in which welfare rates have not even matched inflation since this government came to office, in which the poorest of the poor in Toronto are worse off today than they were during the deepest, darkest days of the Mike Harris government—I ask you, how can this program work when our poorest children of welfare mothers have the federal government money clawed back by this government? How can they aspire to be citizens of character when they don't have enough to eat, when they live in squalid conditions, and when the very government that is supposed to and is entrusted to help them chooses not to do so, but instead chooses to claw back the money for whatever purpose the government wants to use it for?

How can people who live in places like Jane-Finch, portions of Regent Park, and all of those public housing developments in this city and in public housing developments across this entire province, who live with the problems that have been documented so well in the past, who live with mice and cockroaches and vermin and mould, who live in places where no one has any hope, in places where there is gun violence in the street, in places where their kids don't finish school or don't even have a chance to finish school, aspire to be in a community of character?

How can all of this happen? How can it happen in communities across northern Ontario and even in Toronto and, I dare say, probably even in York region and in smaller municipalities, where over 100,000 jobs have been lost this year alone, where people are struggling to try to build for their families and to keep what they already have? How, in a one-industry town like Smooth Rock Falls, if the mill shuts down, are they supposed to maintain and be a community of character? There is nothing there to have character for. There are no jobs, no livelihood, nothing to which the citizens can aspire or in many cases can do. They look to this government to do more than this resolution will allow.

I don't blame the member from Markham for all of those social ills; he is but one person in this Legislature. This resolution attempts to do something which I think is premature at best. It's premature until all of those social ills are looked at. We have an obligation as legislators to try to do something so that the people who are in the hardest circumstance, the people who are having the hardest time in this very prosperous Ontario, have an opportunity to participate. What we need to do is to draw them in, not to tell them to be of good character, not to say that we are of good character, not to go into the schools and tell the kids who have no chance for a higher education, who can't afford the increases in tuition and who simply are forced to drop out—how can you tell them to be of good character? How can you train them to be of good character when they see the affluence all around them and have no opportunity in which to participate?

I looked at this resolution and what this resolution says. This resolution says five things.

The schools are supposed to try to give at least 10 minutes a day to build character among the youth. I question how this is going to be done when so many children have so many problems within our schools directly related to poverty. One in six children in Ontario lives in poverty. This government has done nothing to alleviate that poverty. How can you build character amongst those children when they know that all around them is affluence and all around them they are not participating? I don't know how the 10 minutes is going to engender something which I am sure most of them are bitter about.

The second thing it says is that the community is to find resources and tools. How are cities that are struggling and do not have sufficient monies, especially smaller towns and towns in which the manufacturing



base has been destroyed, to find this kind of money for the tools and resources? I don't know that many cities are going to be able to participate in this or will feel that it is important enough, with all of the other problems they have with infrastructure, with education and with everything else, to find the wherewithal and the monies to find the resources and the tools.

The third thing is the creation of a character council. I suppose that's kind of benign, but I am not sure that many will want to put the resources and the time with so many other pressing problems they have.

The fourth is an education committee to provide resources and tools; that is, to take the work away from the duly elected councils, the duly elected school boards, and to have a parent group or other group find the resources and tools which I believe this government has a moral and legal responsibility to provide. I have to question why that is in there at all.

The last one is a character council made up of a board of directors and a non-profit organization, another non-profit organization, which I think will probably suffer the same fate as literally every other non-profit organization in this province. They are starved for funds. They do not have an opportunity to have enough funds to do the jobs they need to do. They come cap in hand every year, and every year they go away empty-handed.

The member is trying his best. I do not blame him for one minute for putting forward this resolution. But I have to ask, how is it possible in a province that has so many glaring social issues in front of it and so many that have not been resolved, especially so many children who are living in poverty, going to declare itself to be a province of character, and how is it going to enforce what this resolution would do upon municipalities that simply do not have the wherewithal to carry it out?

1050

**Mr. Jeff Leal (Peterborough):** It is indeed a pleasure for me to provide a few comments this morning on this resolution from my colleague from Markham.

But first, one of the great friends of the member from Markham, His Worship the Reverend Donald W. Cousens, announced today that after 12 years as mayor of Markham—and an MPP who had a very distinguished career here—he won't be seeking re-election as mayor of Markham because of health reasons. That will be quite a loss to that community, because he did show outstanding leadership. He and my colleague the member from Markham, who served on that council with Mr. Cousens, were indeed part of what many have called the Markham miracle: the growth of business and industry in that area and the development of many positive programs, through the work of the member from Markham when he was a city councillor there.

Just to talk about a few things that have gone on in my own riding to develop character and good citizenship: For many years, the Peterborough Rotary club would hold an essay contest, leading up to July 1, Canada Day. That was organized by a former Speaker of this Legislature, my good friend Mr. John Turner. John took it

upon himself to organize the essay contest. In the essays that the former Speaker would judge, an individual would talk about the essence of character and the essence of citizenship, not only within my community of Peterborough, but on a provincial and a national basis.

During my time as a city councillor in Peterborough, we developed the Peterborough youth awards. I would recognize a number of people—Mayor Sylvia Sutherland, who will retire this November as the longest-serving mayor ever in the history of the city of Peterborough; Councillor Doug Peacock, a former colleague of mine; and Ellen Stewart, a staff member of the recreation division at the city of Peterborough—who came together a number of years ago to come up with a Peterborough youth award. These awards are awarded annually to students who show good character and good citizenship, and recognize their contribution to the community of Peterborough.

Of note is Avis Glaze, who was a superintendent of York region. After she finished her work as a superintendent of York region, she became the director of education for the Kawartha Pine Ridge District School Board. Through her work, she brought about the character education that she developed as superintendent of education in York region and certainly brought that to her new assignment as director of the Kawartha Pine Ridge board. Dr. Glaze of course went on to become head of the secretariat for numeracy and literacy with the Ministry of Education here in Toronto. Through that process, I had the opportunity to visit classrooms where Dr. Glaze was directly involved in promoting character, 10 minutes a day. It was interesting to see, over a period of time, after students had been involved in the character-building exercise, the change in their outlook and in their attitude, and really the building of their self-esteem, which is so very important, and getting confidence in themselves as young persons in the classroom.

I feel this resolution, talking about respect, responsibility, honesty, integrity, compassion, courage, inclusiveness, fairness, optimism, perseverance and initiative, is important, and highlights very well the key characteristics one would talk about when one was describing what we think is a good citizen and a good individual who will make a contribution to our society. My late mother used to always tell us that good manners never go out of fashion. Taking the opportunity here this morning to discuss this resolution, I think, brings us together to look at some things that sometimes are not talked about at any great length. I certainly commend the member for bringing this resolution forward this morning. I intend to support it.

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** It's indeed a pleasure for me to rise in the House today to support the member from Markham and his resolution in declaring Ontario a province of character. I have watched the member and his hard work in the riding of Markham. He has shown that character to his constituents.

I just want to make a comment about the character I saw in the member and his work that I brought back to



my riding. Last November, it was announced that the Domtar paper mill in my riding would close. On that very day, I shall never forget the member from Markham getting out of his seat, walking over to my desk and indicating to me that he had an idea to help me out. He had an idea that he thought I should bring back to the riding, and I did. The member would understand that it wasn't long after that that the mayor of my community was here at Queen's Park and met the member from Markham in his office, and he presented this idea to the mayor. It's something we are certainly following up on. This is what we have to do in our province: reach out to each other. On that day I saw compassion and honesty and initiative and integrity. This is what the resolution is all about. I saw them in an individual, which I now bring back to my riding and comment about and spread out across this province.

In my riding in 1998, I was the reeve for the new municipality of the township of South Stormont. We had a natural disaster where everyone in my riding—and I noticed especially in my community—reached out. I saw true community character. This is what we have to build on. This community character was shown for sure, because it was at that time that my wife was critically ill in the hospital. I was reeve of the township. I was running back and forth between Ottawa and the municipality of South Stormont; she was in the hospital there. I saw people reach out to me. But I also saw people in the community reach out to their brothers and sisters to lend a hand of support as they tried to cope with the loss of power, the loss of getting to jobs, the loss of networking in the community. I saw people reaching out to each other. I saw people from Long Sault to St. Andrews, from Lunenburg to Ingleside, from Newington to Osnabruck Centre—people all across my municipality—and I also saw, because I was on county council and had an opportunity to fly over the area where power lines were down and whatnot, people in other communities reaching out to lend that hand of support, to show that support and that character. This is what happens all across our province.

I also look, in my municipality and in my constituency, to our local newspaper. I think this is the fourth year, if memory serves me right, that they have supported and profiled the great kids of our community in the Great Kids contest. They reach out every year and have a great celebration of what is good in children. That newspaper, the Standard-Freeholder, also has a page every week where they reach out to all those organizations and have a full page of pictures of people. Whether it's the diabetic society, heart and stroke, Alzheimer's, the OSPCA, people who work in the environment, they profile these people with photographs. This is what we have to do; we have to promote and foster that spirit of what's great in our communities. That's what this is all about. That's what my good friend the member from Markham is doing with this resolution: profiling what's good in Ontario and making sure that we never lose sight of that.

1100

**The Deputy Speaker:** Mr. Wong, you have two minutes to respond.

**Mr. Wong:** I want to thank the members from Oak Ridges, Niagara Centre, Davenport, Haliburton—Victoria—Brock, Peterborough, Beaches—East York and Stormont—Dundas—Charlottenburgh for participating in this debate. It is a bit unfortunate that some members have turned something extremely positive into something negative, but I'm going to stay on the positive side. I'm repeating: In a province of character everyone works together to ensure that families are strong, neighbourhoods are safe, education builds character and businesses are productive.

There have been a number of comments about Premier Dalton McGuinty. Let me tell you, the Premier is the province's greatest champion of working toward character education programs in schools. In his first throne speech, in November 2003, Strengthening the Foundation for Change, the Premier spoke to this government's commitment to excellence for all in public education. Part of that commitment was that communities would be asked to help define citizenship values for Ontario's new character education program in our local boards, to strengthen our students' education experience. He also acknowledged that the path to a better society and a more prosperous economy runs through our public schools.

I think it really is important to introduce the book that has been published by York region, Building Character: A Community's Success Story.

I want to address a point that's been raised by the member from Beaches—East York with respect to poverty and social issues: This is not about money. This is about how we can build and foster a great society. I want to advise and inform the members here that there have now been 11 cities or municipalities in Canada that have declared themselves as character communities. I am sure this would be helpful and I urge all members to support this resolution.

#### HIGHWAY TRAFFIC AMENDMENT ACT (SPEED LIMITERS), 2006

#### LOI DE 2006 MODIFIANT LE CODE DE LA ROUTE (LIMITEURS DE VITESSE)

Ms. Scott moved second reading of the following bill:

Bill 115, An Act to amend the Highway Traffic Act to improve air quality by reducing truck emissions / Projet de loi 115, Loi modifiant le Code de la route pour améliorer la qualité de l'air en réduisant les émissions de camions.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Ms. Scott, you have up to 10 minutes.

**Ms. Laurie Scott (Haliburton—Victoria—Brock):** Two weeks ago, I introduced Bill 115, An Act to amend the Highway Traffic Act to improve air quality by reducing truck emissions. The act requires all trucks operating in Ontario to activate the electronic speed limiter that exists in every truck engine to limit the truck's maximum speed to 105 kilometres per hour. I introduced the bill for three reasons.



First, as my party's environment critic, I fully support the introduction of measures to reduce greenhouse gasses and smog-causing emissions created by trucks. It's a simple matter of physics that you use less energy when you reduce speed. By slowing down trucks on our highways, we will reduce the amount of fuel that they burn. A reduction in fuel consumption means a corresponding reduction in greenhouse gas emissions. The math is very simple and incontrovertible.

The trucking industry has estimated that over 140 kilotonnes of greenhouse gases would be eliminated each and every year, a number which I believe is probably low. I believe that the reductions will probably be much higher. It's not just the trucking industry who thinks that slowing trucks down is good for the environment; Pollution Probe, the Lung Association and Fleet Challenge have all publicly endorsed speed limiters.

The Minister of the Environment and I may disagree from time to time, but on one thing, at least, I know we are in full agreement: We need to act now to stop global warming by reducing our greenhouse gas emissions. The minister has described the efforts to reduce greenhouse gases as the greatest environmental challenge of our generation and I tend to agree. Whatever our differences, what matters is that we start taking action now rather than later.

Climate change does not have to involve big, sweeping changes. Each of us doing our part can combine our efforts to achieve real, positive, lasting change for our environment. We have witnessed that in waste diversion through the blue box program, where every household does their part to reduce, reuse and recycle. The bill is a great example of a key industry stepping up to the plate as a willing partner to reduce greenhouse gas emissions and reduce consumption of fossil fuel. Together, we can all reduce greenhouse gases. While I would never suggest this measure alone as the sole solution to global warming, I think it's a step in the right direction. Global warming is a complex issue and there is no single magic solution. We need a lot of different measures dealing with each source of greenhouse gases. For the trucking industry, using limiters to reduce trucking speed is a good strategy, one that is supported by the industry and by environmental experts. I am pleased to be able to bring forward a bill implementing it.

I'm also mindful of the fact that at the same time other pollutants like NO<sub>x</sub> and particulate matter that cause smog and affect our health will equally be diminished. Given the smog days we are experiencing in Toronto right now, I should think that we can all agree we need to act now to reduce smog.

My second reason for introducing this bill is that when the private sector takes the lead and offers to support tougher environmental and safety legislation, I think we have an obligation as members of this Legislature to encourage that kind of leadership and support their efforts. The trucking industry deserves a lot of credit for coming forward with this proposal. It was their idea originally. How many industries are coming forward

begging us to help them improve their environmental performance? How many have really grasped the challenge of dealing with global warming and offered a constructive solution? Do we have so many willing volunteers for new environmental legislation that we can afford to reject good-faith offers of government-industry co-operative initiatives? I don't think so. I think it would be a shame to have an industry come forward asking for new legislation that will help our environment and then have we as legislators refuse to act. What kind of message does that send out, that industry cares more about the environment than we do here? So my second reason for introducing this bill is to show my personal support as a member of this Legislature for the efforts of an industry that has been proactive, shown real leadership, and is looking to government to work with them to implement a good idea, an idea whose time has come.

That brings me to my third reason for introduction of this bill. I'm a frequent user of our provincial highways as I drive back and forth from my home in the beautiful riding of Haliburton-Victoria-Brock. I know first-hand how dangerous it is to have to share those highways with trucks that are speeding. I also know that the majority of truck drivers are professional, courteous, and among the safest drivers on the road. But unfortunately, there are a minority of drivers who drive their fully loaded trucks far too fast, putting at risk not only their own lives but the lives of those who have to share the highway with them.

If enacted, this bill will ensure that all drivers slow down to a reasonable speed. I firmly believe it will improve road safety, a belief that is shared by a host of safety organizations that have also endorsed this idea. The CAA, the Canadian Safety Council, the Traffic Injury Research Foundation, the Ontario Safety League, Road Watch, the Transportation Health and Safety Association of Ontario, the insurance bureau of Ontario, the Markel and Old Republic insurance companies and Smart Risk have all come out and said that speed limiters for trucks will make our roads safer. In all honesty, I can't claim to be a road safety expert; however, the myriad organizations I've just named are the leading road safety experts in this province and they agree that slowing down trucks will make our roads safer.

Despite the obvious environmental and safety benefits and despite the fact that it is the trucking industry itself that is calling for this kind of legislation, I recognize that there are still those who question why the government should force truckers to obey the speed limit, just as there were those who vehemently opposed mandatory seat belts in the 1970s and just as there were and are those who opposed forcing motorcycle drivers to wear helmets, and just as there are those independent drivers who oppose the logbooks that restrict the number of hours they can drive in a day, who oppose the laws that restrict the maximum weight of their truck, and who oppose efforts by MTO to inspect their vehicles at roadside truck inspection stations. There will always be those who don't like any kind of government interference, but when their actions have an impact on the rest of us, on the en-



vironment we live in, on the safety of the roads we drive on, it is appropriate—it is imperative—that we enact sensible legislation. No one today would question whether mandatory seat belts were a good idea or whether motorcycle drivers should be required to use helmets, yet at the time, many did.

Let me deal now briefly with what the bill does and, more importantly, what it does not do.

What the bill does is require all trucks operating in Ontario to activate the truck's speed limiter, which is a built-in electronic microchip that allows an engine's top speed to be pre-set. The maximum speed that the limiter would be set at is 105 kilometres per hour. All trucks manufactured after 1995 are equipped with these chips now. Setting the maximum speed for a truck is a relatively simple programming change that can be performed in a matter of minutes at minimal cost. In many ways, it is no more complicated than changing the password on your home computer.

**1110**

Enforcement will be easy because if every truck is staying at or under 105 kilometres per hour, a cheater is going to be pretty obviously speeding past the other trucks. Cheaters will be easy for the police to spot and deal with. In addition, MTO on-road inspectors can very easily check if a vehicle has been properly governed using a hand-held device. The law would apply to all trucks, regardless of their home jurisdiction, who choose to operate in Ontario.

This is not unusual, as North American jurisdictions have a variety of laws governing operation of commercial vehicles, and they're expected to comply with the laws of the jurisdiction in which they are driving. You can use examples of Canadian truck drivers in the US in respect of the US drug-testing law that we don't have in Canada, the rules that govern vehicle weights, axle configurations and even the hours that drivers can work. So the trucking industry has long adapted to these different changes in jurisdiction. In the long term, I hope that all North American jurisdictions will follow Ontario's lead.

So what the bill does is reduce fuel consumption, thereby reducing emissions. What the bill does is improve road safety.

Now let's deal with what the bill does not do. What the bill does not do is affect the competitiveness of Ontario's trucking companies. Who would know better the competitive situation than the trucking companies themselves? They are the chief advocates of this policy. If there were a chance that this would hurt their competitiveness, they wouldn't be asking the government to bring in such a law.

What the bill does not do is affect the competitiveness of Ontario shippers. The fact is, over 50% of trucks operating in Ontario and around 70% of those operating in the US are already governed by this technology. The simple fact is that those trucking companies who have already governed their fleets are effectively competing with those who haven't, providing the same level of service at competitive rates.

What the bill does not do is affect a driver's pay. It does not affect the amount that independent truckers or owner-operators earn. It's not unreasonable to suggest that in order to make money, an owner-operator has to operate at excessive or unsafe speeds. Furthermore, whatever increased risk of rear-end collisions, it's going to decrease that. That's proven by many statistics.

I see my time is almost expired. Let me just conclude by urging all members of the House to consider the environmental and safety benefits, to consider the fact that the industry itself wants this law and to consider the fact that a broad cross-section of reputable environmental and safety organizations are also in favour of this law. Having considered all this, I urge you all to join me in support of Bill 115 this morning.

**The Deputy Speaker:** Further debate?

**Mr. Tony Ruprecht (Davenport):** I will be supporting this private member's bill by the member from Haliburton–Victoria–Brock, but as with most bills, it has its pros and it has its cons.

Let's look at the pros. The member says that speed limiters on large trucks have the potential to deliver these benefits, especially in terms of reduced speeds, fuel economy and reduced greenhouse gas emissions. Obviously that is a very good point, a point taken up already in terms of reducing greenhouse emissions by our government. We have already, in terms of specific actions, produced a number of almost immediate results, and let me just go through some of them here.

This government has introduced North America's toughest emission-testing standards for large diesel trucks and buses and has toughened the Drive Clean emission-testing standards for light duty vehicles by 23% in the past two years. We've implemented a five-point clean air action plan and provided gas tax funding so that municipalities can make meaningful investments in public transit. This is cleaning the air we breathe by getting people out of their cars, and obviously it enhances public transportation. The government has introduced Ontario's first-ever HOV lanes to help reduce gridlock. The Premier, in fact, has hosted the first shared air summit.

We've closed the Lakeview coal-fired generating station, and we consistently have maintained, and will continue to maintain our desire to reduce emissions, especially in terms of our coal goal, which is about cleaner air.

There are a number of points in terms of reducing gas emissions that the government has already taken. But let me now look at the cons. I hope the member from Haliburton–Victoria–Brock will answer some of these questions.

I have a trucking company in my riding and I asked, "In what way would this specific private member's bill affect you?" He said to me, "Well, we have shipments to make of car parts to Georgia. And who do we call? We're looking for the person or the trucking company that takes the transportation route that is the closest and shortest route in terms of hours." I said, "Why is that?" "It's obvious," he said. "First, it reduces the cost, but



second, which is much more important, the company and the factory in Georgia is waiting for these parts. The plant shuts down at 6. The truck that doesn't have a governor or a speed limiter on it will get there at 5. The Ontario truck that has a governor on it will arrive there at 7, which is one hour past the closing time of the factory, which means a hell of an extra cost."

I'm simply wondering whether the member from Haliburton-Victoria-Brock can answer this question for this specific trucking company. Are we saying with passing this bill, and I will support this, that we're disadvantaging and adding extra costs to those trucks that are registered in Ontario, as opposed to those trucks that come from south of the border, whether it be Tennessee, South Carolina, North Carolina or Virginia?

So the question is one of cost and disadvantage. I, for one, would not want to, with this bill—obviously we would not want, as a government, to try to disadvantage those trucking companies, in terms of competitiveness, which have to compete with those who won't be governed by the specific legislation.

But there are some other cons, and I hope the member will address these specific questions. The bill does not specify whether this restriction applies to motor vehicles only in Ontario, or does it also apply to vehicles operated in and through Ontario? Will it create confusion for other provinces' carriers and drivers? In other words, will any truck driving through Ontario be subject to this law?

The bill intends for this offence to be enforced. There will be an offence, obviously, if a truck is found guilty of not providing a governor or speed limiter on the truck and on the motor. The bill intends for this offence to be enforced by conventional police officers who are not commonly involved in the enforcement of weight and equipment requirements for commercial vehicles. There will have to be special training provided for these police officers to know just what fines to give to these drivers.

Deeming the driver of the vehicle to be in contravention of a vehicle equipment requirement is unfair in most cases because the driver has no control over the components of the motor vehicle that he or she is driving. This will be the responsibility of the vehicle owner or operator. The bill does not address the responsibility of the motor vehicle owner. Is it just the driver who's being fined? Should there not also be a special fine for the person who owns the vehicle or who leases the vehicle when he or she knows the governor is not being provided?

Obviously, then, there are a number of cons, and I would hope the member would be able to specifically address these questions, especially for my trucking company that would be at a disadvantage in terms of competing with other trucks out of the province. I will be supporting the bill, but I would hope that the member would be able to answer some of these questions that are distinctly important.

1120

**Mr. Ernie Hardeman (Oxford):** I'm pleased to rise and speak to the bill introduced by the member for Haliburton-Victoria-Brock, based on a proposal from the

Ontario Trucking Association to put limiters on trucks on the highways so all trucks would not be able to go beyond 105 kilometres an hour.

Right off the top, I will suggest that I will be supporting the bill, as I believe anything we can do, first of all, to improve our environment, but even more, to improve the safety and the expediency on our highways, is a good thing to do. It's also important to recognize that this isn't necessarily the answer to all the things that are wrong. This isn't going to all of a sudden clean up our environment to the extent that none of the other things need to be done. I think the government still needs to work on cleaning up the air that's coming out of our electricity plants that they keep saying they're going to close, but they're not. It seems they're saying they're going to close them so they don't have to clean up the air that's coming out of the stacks. I think that's very important.

My support for this bill is not so much on the environmental part, but on the rest of it. I've often heard in my community that good environmental policy is also good financial policy when people and businesses are conducting their business, and this is one of those examples. I would find it hard to believe that anyone who is operating a vehicle or truck on the road and who is trying to make a living would not appreciate that putting this in place, making a level playing field so all trucks are doing a similar speed and it does not create an uncompetitive edge by slowing some down, and they can save the number of litres of fuel that the studies show they can save—I would be hard-pressed to find someone who wouldn't be interested in finding a more economical way to get from one place to the other and, of course, at the end make more money.

The studies show that if they install these—I guess I should clarify the installing. Trucks already, since 1995, have the ability to function by putting a chip in the diesel fuel pump that is there. They can make that the limiter. It isn't a program where you have to put new equipment on the truck to make this work. As was said, there are many trucks that already have it. I think the member for Haliburton-Victoria-Brock mentioned that 50% of the trucks on our highways and 70% on the American side already use this type of technology in order to save fuel. As I said, I think this is a good business case. Not only that, the safety of the trucks on the highway is a very important issue.

The Insurance Bureau of Canada supports the proposal, as they see it will make our highways considerably safer. A number of other insurance companies are all suggesting it will make our highways safer. So again, it's not just for the environment, it's not just for the money saving, but it will make our highways safer. I think we should have all members of the House supporting it.

Having said that, there are some challenges. That's why I would hope that my colleague will agree to have it referred to committee for some hearings to deal with some of the issues that could cause a problem in the industry. One is the uniformity of the speed limit and how we make sure that people coming into Ontario are



governed by the same rules as our trucks will be, to make it a level playing field for all our truckers.

The other thing is that I noticed from driving to Toronto every day to come to the House, as trucks are coming down the highway, particularly in the area where there are just two lanes of traffic, as they go by, sometimes even now, as they do have the variance of speed, it takes a long time for one to get by the other. I have some concerns with this process, if 105 is the speed of all the trucks, that we have one going at 100 and the other one wanting to go at the 105, which would then be the legal speed limit. If they get out beside, it could take many kilometres before the process of passing that vehicle was completed. Again, that would have a detrimental impact on the movement of traffic on our highways, recognizing that one of the other big challenges in our society is to have enough room on the highways for all the traffic that's presently there. That is quite noticeable in the mornings as one travels into the city.

I think those types of things need some discussion and some committee time to come up with solutions. But I think that a compromise can be found on those issues to make this an improvement for the environment, an improvement for the profitability of our trucking industry and an improvement in the safety on our highways. I'm happy to stand today in support of this bill.

**Mr. Michael Prue (Beaches-East York):** Before I start to speak, I wish to preface my remarks by congratulating the member from Haliburton-Victoria-Brock, because not only has she come forward with a good idea, but I do not remember, in my five years here and in all the private members' bills that I've ever had an opportunity to debate, being sent such a package by a member. Not only is it researched, not only is it clear, cogent and coherent, but it also has many endorsements contained within the body that literally answered every question that I might have had.

In fact, like the member who spoke before me, I had a great number of questions. I remember some of the difficulties in previous legislation and in other governments, where there was a whole bill about the length of trucks in Ontario and there was a whole thought that we should lower the lengths of those trucks because that was going to involve efficiency. But then we found out that if we did that, it was going to cause great discomfort to the Ontario trucking industry, much of which was sent into the United States, where their trucks tended to be longer, and it would also make it virtually impossible for American trucks to travel into Ontario. So I was looking for this kind of stuff. I was thinking maybe we ought not to be going here, because I remembered that.

I also remember the 400-series highways, going back a number of years, and the 401 in particular in Toronto. There were two different speeds. There was a speed of 65 miles an hour—because in those days we were non-metric—and then there was a speed of 55 miles per hour for trucks. I know that caused considerable angst, difficulty and driver discomfort. In the end, it was determined that all trucks and all cars should travel at 60 miles

an hour, and then that subsequently became 100 kilometres an hour. It seemed to me that having a differential speed, as we have in some places in the United States, was not the way to go either. So I was looking into the body of the bill and had some considerable difficulty should that be one of the suggestions.

Last but not least, I continue to be worried and need to know whether other Canadian jurisdictions are going to follow suit, because it's very clear in here about the American jurisdictions, but I think we also need to know whether other Canadian jurisdictions are contemplating similar actions. Although a great deal of our truck traffic ends up in the United States, there still is a considerable amount that is interprovincial, particularly along the corridor leading from Quebec and the Maritimes. Quite a bit of traffic still flows that way and, to a lesser extent, from British Columbia. But still, a fair amount of traffic is involved both ways coming in and out of Ontario. I want to make sure that if this is done, it is coordinated across the country. Certainly if the idea is good enough for Ontario—and I suggest it is—other jurisdictions may want to follow suit, or at least our own law must be very clear as to whether or not it will involve interprovincial transportation. I do not want to see people coming from Manitoba, Alberta, British Columbia or New Brunswick facing problems in transporting goods and services into Ontario.

I talked about the list of endorsements. I'd just like to read those. My friend, in her 10-minute opening, obviously didn't have time, but I was very impressed by the length and breadth of those who have come forward in support of this bill.

**1130**

The first is the Ontario Trucking Association, and that should come as no surprise. Then there was a whole bunch of them after that: the Canada Safety Council, Pollution Probe, Smart Risk, the Canadian Automobile Association, Road Watch, the lung association, the Insurance Bureau of Canada, the Traffic Injury Research Foundation, Old Republic, Markel, the Transportation Health and Safety Association of Ontario, the Ontario Safety League and Fleet Challenge. All of these groups, as disparate as some of them may be and having completely different mandates and people they serve, came to the same conclusion: that this was a bill whose time has come.

The bill, in effect, will limit speed. The limitation of speed has its own reward, and that greatest reward is probably in terms of human safety. I don't care how old you are or how long you've been driving or how long you've been a passenger: If you have travelled sufficient miles or sufficient kilometres on the roadways of this province, you have seen car accidents. There are many causes for those accidents, almost all of which are human error. But in the end, the accidents that tend to be the worst, the accidents in which lives are lost or severe injuries take place, are those in which excessive speed is involved. Anything that helps us to limit that speed, anything that helps us to make people understand that a



slower speed is always a safer speed, is a good thing. I commend the member for this aspect of the bill.

We also know that in Ontario, about 500 people die every year as a result of truck accidents. Again, some of this involves human error, but a great deal of it may involve—I don't have the statistics for this; it's only anecdotal from my life, having driven some 40 years on the streets, roads and highways of this province—speeds in excess of 100 kilometres an hour. For reasons of safety, and for reasons of safety alone, this should be supported.

There are two other important aspects to this. The first is, it will save money. It will save money because if you run the truck at 4% to 5% less speed, you're also going to correspondingly save the same amount, 4% to 5%, of fuel cost. You'll burn less fuel. The cost of that fuel will allow the trucking companies to save money. The second one is related to the environment, and I'm going to deal with that in a moment.

If there's one thing that I have to say I'm sad is not contained in this bill, it's the provision not only that it deal with trucks but that it in many cases should deal with automobile traffic as well. Everybody in this province who opened up a paper this past week saw the horrific accident of a young couple who were out to celebrate their anniversary. They hardly ever went out to celebrate an anniversary, but they got a man to come out and babysit their seven-year-old daughter so that the couple could celebrate something, as is quite normal in many families. They got together; they went out for a pleasant meal. They were driving home. Two young guys were having a road race going at what the police estimated, according to the paper, as 140 kilometres an hour. One of them side-swiped the car and killed the couple on their way home from a normal family celebration.

I would like to think that this bill may, in committee, be expanded. I would like to see that people who recently received their licences, or at least for the first number of years of the licence, have such a limiter placed on a car. I'm specifically thinking about younger men who have just got a licence and who think that this road race, this thing of going down and seeing who's got the fastest car, this thing about seeing how fast you can go on the streets without the police catching you—it needs to be curtailed.

I have seen that the federal government is considering increasing the sentences for those who would act in this irresponsible way. But this is a bill and this is a provision which would clearly ensure that speeds of 140, 150, 200 kilometres an hour, which some people travel on our roads, and for no real purpose other than to see how fast they can go—that there should be a limiter placed on them too. I would think that anyone who's getting a new licence or anyone who has been convicted of driving excessive speeds, above 140 or 150 kilometres an hour, on the roads of this province should have, as one of the conditions of getting a licence back, a limiter placed on their car. I would like to see that. I hope, if this goes—

**Mr. John O'Toole (Durham):** It's a private member's bill.

**Mr. Prue:** This is a private member's bill. I think, though, that when this goes to committee, this can be easily added. If somebody does that, if they go 30 or 40 kilometres above—it is possible, in a 30-kilometre-an-hour zone, for someone to be caught going 60, and I know they shouldn't be doing that, but I'm talking about those who really want to speed. I'm talking about those who drive excessively. I've seen them on the 401; we all have. I've seen them going as if I'm standing still driving at 100. They just pass me as if it's nothing. I have no idea what speed they're going, but I'm sure it's 160 or 170. I think if the police catch them and if they are convicted—because I believe in due process—that they should have a limiter placed on them as well, because what's good for them will be good for all of us.

The thing about the trucks, though, I have to say, is that it has been my experience, and I want to state it publicly through this debate, that the safest people on the road are probably truck drivers. If you drive and you watch them, they are the most courteous. They are the ones who will let you pass; they are the ones who will wave you through if it's going to take a long time. They are professionals. They are the least likely to be involved in accidents and also the least likely to take any abuse of their licence, because, after all, it is their livelihood. I don't remember the last time I read anything in the paper about somebody drunk-driving a transport truck, not the same way as somebody is drunk-driving a pleasure car. I'm not saying it's without the realm of possibility, because it could happen, but it's simply not something that one sees every day. So I want to commend all of them for the job they do and the way they do it safely. This is not an issue in terms of their driving, but it is in an issue in terms of public safety and those who may not be as professional as they are.

I wanted to talk about this for a minute, and there are only a couple left: pollution, because pollution, of course, affects all of us. Yesterday was a smog day of some horrendous proportion in this province, and the day before that as well. There were poor readings in Toronto, Hamilton and all of southwestern Ontario. A poor reading is that between 50 and 99. The smog days are getting horrendous. They seem to be building up, with more and more and more of them as I grow older. I don't remember this many smog days in my youth, although all of these things were tested even back then. I do see it on a basis that we even have smog days in the winter now, which we never used to have. They used to be confined usually to the summer months, with the air inversions, but today that is not the case. These were smog days in May, which years ago just didn't happen.

We need to get the amount of fossil fuels that are being burnt down. It has been estimated—again, I thank Ms. Scott for her wonderful research—by Pollution Probe that 27% of the smog produced in Ontario comes from transportation: large trucks, cars, those kinds of things. If we can reduce the amount of fuel being burnt by 50 million litres, we can reduce the CO<sub>2</sub> emissions and other emissions into the atmosphere, as they say, by



140 kilotonnes. That is such a huge amount of weight that one cannot even fathom it, and it's simply in the air.

This has to be done. It has to be done for safety and health. It has to be done for transportation. It has to be done so that our roads are in better condition. It's going to save the trucking companies money. In the end, the best thing that's probably going to happen for all citizens is that we will not have to endure the smog days; we will not have to endure what has become, all too often, the norm.

When this bill goes to committee, I am asking the member from Haliburton–Victoria–Brock—I'm hoping she is going to send it to committee and not allow it to go to the committee of the whole House—

*Interjection.*

1140

**Mr. Prue:** —I'm getting an indication that that is what she is going to request—that some of these excellent groups be called forward and be made available to answer the questions.

I heard the member from Davenport and his suggestion that this is going to cause some difficulty for a transportation firm who may not want to limit the speed because they can't get to Georgia, that it's going to take an extra hour. The only suggestion I can make to that firm is that they leave an hour earlier, for the safety of all of us.

I think that he and others need to hear that there are alternatives. One of the alternatives is simply to time yourself better. One of the alternatives that is here is to limit the speed. But clearly, if all members can feel comfortable about this, if we can draw on the experiences of other provinces and states, if we can coordinate this across North America, it is an idea whose time has come. I commend the member for her efforts.

**Mr. Phil McNeely (Ottawa–Orléans):** I'm pleased to rise in my place today to join this debate. I would like to begin by congratulating the member from Haliburton–Victoria–Brock for bringing the legislation forward. Any legislation that speaks of reducing emissions is certainly welcome in this House.

While, ultimately, I think this bill has been brought forward without thorough consideration of all issues, this bill gives us the opportunity to highlight the importance of responsible driving to fuel conservation in this province. Ontario boasts the safest road system in North America, and the Ministry of Transportation is very proud of that achievement. This enviable record is due in no small part to the strong partnerships the ministry has forged with its safety partners, including the Ontario Trucking Association and the trucking industry as a whole.

More specifically, Ontario also has an excellent truck safety record. In fact, data tell us that trucks are the least likely type of vehicle to be speeding. That was mentioned by a member previously. The vast majority of truck drivers drive safely and responsibly, and our excellent truck safety record reflects that. The facts are these: Despite the fact that the number of large trucks on Ontario roads increased by 43% from 1990 to 2003,

fatalities involving large trucks decreased by 21% over that period. This is tremendous movement forward in safety.

I just want to say that the men and women who drive trucks in this province are dedicated professionals who take their safety responsibility seriously. Still, we can do more to promote road safety and cleaner air in the province of Ontario, and we must. Bill 115 is based on an Ontario Trucking Association proposal and has received broad support from the larger trucking companies. I congratulate them for taking this initiative. Other supporters include AMO, the Canadian Automobile Association, the Ontario Safety League and the Ontario Lung Association.

Not only does the legislation aim to increase road safety, but it will also diminish greenhouse gas emissions by reducing the speeds at which large trucks are able to travel. However, smaller independent owner-operators are strongly opposed to this legislation because it could impact their ability to compete with the larger trucking firms. The member from Davenport spoke to this matter, and the member from Oxford spoke to it as well.

Interestingly, in Europe, where they've mandated speed limiters, drivers are generally paid on an hourly basis; however, in Ontario, drivers are paid on the mileage travelled, so this initiative would have a real impact on the earnings of truck drivers who already work long hours for modest pay. The negative impact on independent business is one of the factors that must be weighed against the obvious environmental benefits.

Another potential issue that this bill raises is the issue of economic competitiveness. Trucking is, by nature, an interjurisdictional enterprise, and we compete with various provinces and with the United States. Ontario-based carriers run 25% of their miles in jurisdictions with a speed limit of 105 kilometres or more. What will be the impact of this proposal on Ontario carriers that travel through jurisdictions where it is legal to drive 105 kilometres and more?

On the other side of the coin, what will be the impact of this proposal on the non-Ontario-based carriers that deliver goods to Ontario or through Ontario? These are all questions which were raised earlier and which must be dealt with before we can move forward.

In terms of road safety, intuitively, we could reasonably expect that slowing down trucks could reduce collisions, yet Europe and Australia, which implemented speed limiters, have not yet produced any data to support this intuitive belief. So, are there safety concerns? If there are safety concerns, we have to have that data, that information, because we are the leader in safety in Ontario. We must stay there.

Enforcing consistent speeds of truck travel would suggest that roads would be safer. However, this may pose problems for companies competing to maintain a solid reputation for just-in-time delivery. Certainly there are going to be some adjustments that have to be made.

To summarize, Ontario roads are the safest in North America, and we intend to keep them that way. Ontario's truck safety record is equally enviable.



Bill 115 promised some real benefits in terms of the environment. However, speed limiters would have broader implications for the trucking industry and could have unintended consequences. There remain questions around the economic competitiveness and the lack of road safety data. I know that the Ministry of Transportation is playing a leading role in a working group that includes the Ministries of Transportation from Manitoba, Quebec and New Brunswick, and they will no doubt be looking at the impact that trucking will have in the states to the south of us.

A report on the impact of mandatory speed limiters is expected this fall, so we don't have to wait that much longer. This initiative deserves some real consideration, but we just aren't there yet. All the issues must be considered before moving ahead with this proposal. We look forward to reviewing the report from the federal-provincial working group on this issue.

**Mr. O'Toole:** As the critic for the John Tory caucus, the opposition caucus, I want to first start by commending Laurie Scott, the member for Haliburton-Victoria-Brock, for the work she has done in preparation for Bill 115. In fact, most of the comments today have been of the nature of the previous parliamentary assistant, Mr. McNeely, the member for Ottawa-Orléans. He wasn't absolutely critical, and he's sort of the spokesman for the minister. I'm sure he read the speech the minister prepared for him.

**Mr. McNeely:** Who wrote yours, John?

**Mr. O'Toole:** I haven't got one, actually. Also, the member from Beaches-East York was quite complimentary, and correctly so, because when you're preparing a private member's bill—this is mainly for the viewer—there's pretty much a consensus that this is the right thing to do for a lot of different reasons, whether it's the environment, the road safety issue or, as the parliamentary assistant has pointed out, the due diligence that's important.

The presenter of the bill, Ms. Scott, has done a wonderful job, because she has talked to the major stakeholders here. I can attest that she gave each of us who wanted to participate in the debate a package which was quite informative on such a technical subject in the commerce of Ontario. This came, I believe, from her work with the Ontario Trucking Association. Dave Bradley and Doug Switzer brought this to our attention. In fact, through her office, there was a meeting arranged with John Tory, the leader of our party. He was quite receptive to the meeting and the input they gave him. You might suggest it's resulted in Ms. Scott drafting this legislation.

There are others that she's worked with as well which are worth mentioning. The Insurance Bureau of Canada recognizes that if our roads were safer, the insurance implications would be that costs are reduced. Mark Yakabuski, in that instance, has been complimentary of the work she's done on this. Of course, there's the Canadian Automobile Association; Kris Barnier has been in touch with her office and has been supportive. These are

the major stakeholders. They're consumers and independents who want to know that the right thing is being done.

I just want to focus on a couple of things. As the transportation critic, I believe that the broader issue here is gridlock. It's not that somebody is going 120, 110 or 50 kilometres an hour; we're stuck in traffic. They have no transportation plan. It's tragic. In fact, I'm on a bill right now, which I know the member from Beaches-East York and other members of his caucus—the member from Ottawa-Orléans—are participating in. Bill 104, the Greater Toronto Transportation Authority Act, is before committee as we speak. We met this morning.

This bill again demonstrates to me—and most of the delegations, which included academics, a number of experts and municipally elected people, are calling for some substance to Bill 104. It's missing the main ingredients to get rid of gridlock. The Ontario Chamber of Commerce says that gridlock, whether it's trucks or cars, is causing environmental issues as well as costing the economy. In fact, it's costing our quality of life.

**1150**

What have I done on this? As the transportation critic, I have been in touch with other provinces. In fact, I've met with Lawrence Cannon, who's the Minister of Transport federally. Because the trucks just don't drive around Toronto or Durham region, or Halton or the greater Toronto area, or for that matter Kingston. They're usually going inter-jurisdictionally, between provinces and, in fact, between countries. As such, an important aspect of this bill would be to coordinate this goal, this policy at a federal level. I'm convinced that the federal government is seized with this discussion, as the parliamentary assistant said.

I have written to the Minister of Transportation, formerly Minister Takhar, now Ms. Donna Cansfield. The response I got back was on May 23. It says here, "As part of the assessment of the OTA"—the Ontario Trucking Association—"proposal, the ministry is considering available road safety research as well as input from key stakeholders to determine the potential impact of mandatory speed limiters. The suggestion you have forwarded will certainly be considered as part of this assessment." The suggestion came from the hard work done in preparation by Ms. Scott.

I think what I learned this morning on Bill 104 that needs to be put on the record in the very brief time that—the member from Beaches-East York made reference to this, a presentation this morning to Bill 104. The discussion was about transportation. They gave us some very, very important data that I was quite impressed with. This data were presented by a group called SMART, which is Student Math Action Research Team. They were led by an academic person, a mathematician actually, from McMaster University. It's an Ontario public interest research group.

What did they tell us about this issue of the use of scarce resources? One of the facts these mathematicians put together says that the reason for their concerns about



the environment and the combustion engine is that a tonne of greenhouse gases is produced for every 417 litres of fuel burned. That's an interesting little nugget of knowledge: A tonne of greenhouse gases—one tonne—is produced for every 417 litres of fuel. That's pretty interesting. These mathematicians, this group of students—and I commend the work they've done—have extrapolated, have drawn this number down so that we can understand it. The data have come to the conclusion of “the accuracy that .00041 tonnes of greenhouse gas are generated in one year by the average ... vehicle for every second that vehicle idles daily in a parking lot” or in congestion.

They had extrapolated that number on all registered vehicles. “It means that for every second each day that every vehicle in Ontario sits” and idles “in traffic we not only generate 2,256 tonnes of greenhouse gas a year, we also waste over 940,000 litres of fuel.” Now we're starting to quantify this problem to our environment, indeed to our health.

What has this to do with the speed limiters? There's clear evidence of a relationship with the 105 kilometres per hour, by reducing consumption, affecting gridlock, reducing emissions, improving our quality of life.

My question remains, what's causing the minister to do nothing about this? Why doesn't she get on with it?

Respectfully, the 105 kilometres actually raises an important issue because of the two issues that I see. First of all, the legal speed on the 400-series highways is 100 kilometres, not 105. How can you validate going 105 when the law says 100? The real issue here is, what's the true speed on the 400-series highways? Should it be 100? I believe it should be 110, personally. They're designed for 110, let's make it 110, and let's enforce it at 110. That's the whole issue. How do you enforce this 105 if everybody else is going 120? I drive a fair amount. I take GO Transit whenever I can. It just shows you that this issue—we support it. Conceptually, it's the right thing to do. There are concerns about enforcement. If we were in government, we'd certainly have done the work already. They've had three years. What's the problem here? We've got the academics telling us that there are—how many tonnes? I've just given it to you. It's 2,256 tonnes of greenhouse gases a year; about 940,000 litres of fuel.

Let's get on with the job and endorse this bill.

**The Deputy Speaker:** Further debate? There being none, the member for Haliburton—Victoria—Brock, you have two minutes to respond.

**Ms. Scott:** I'd like to thank the members for Davenport, Oxford, Beaches—East York, Ottawa—Orléans and Durham for speaking to this bill and in support of this bill.

I want to answer some of the questions that were asked. The fact is that over 50% of the trucks operating in Ontario and around 70% of those operating in the US are already governed by this technology. The simple fact is that those trucking companies that have governed their fleets are effectively competing with those that haven't, providing the same level of service at competitive rates.

The 50% to 60% of Ontario trucks that are already governed have provided the pilot project demonstrating that a governed fleet is just as economically efficient as an ungoverned fleet, both for the shippers they serve and for their own competitiveness and economic viability. Even though rules and regulations differ between provinces and states, and the truckers adapt to that, this bill is receiving support at the national trucking association level, so I think we have to take that into consideration.

We have to look at Bill 115 as an example of big-picture thinking required by Ontarians to reduce greenhouse gas emissions. It would reduce fuel consumption on the average truck by 8,000 litres annually. Multiply that by the number of trucks on Ontario's roads and highways and you can achieve serious fuel savings. It would reduce greenhouse gases. Improving fuel efficiency results in decreased harmful emissions from commercial trucks. As much as 140 kilotonnes of greenhouse gases could be eliminated in Ontario through this legislation.

Bill 115 will improve highway safety by minimizing the severity of car-truck crashes. We have a stakeholder, the Ontario trucking industry, that has come to the table wanting to reform their industry to make it more environmentally friendly and improve highway safety across the province. This is not a partisan issue. Every single member in the Legislature has truck traffic in their riding. The issue affects us all, and I ask you for support today for this bill.

**The Deputy Speaker:** The time provided for private member's public business has expired.

## ONTARIO CHARACTER

**The Deputy Speaker (Mr. Bruce Crozier):** We shall first deal with ballot item number 39, standing in the name of Mr. Wong.

Mr. Wong has moved private member's notice of motion number 16. Is it the pleasure of the House that the motion carry? Carried.

## HIGHWAY TRAFFIC AMENDMENT ACT (SPEED LIMITERS), 2006

### LOI DE 2006 MODIFIANT LE CODE DE LA ROUTE (LIMITEURS DE VITESSE)

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 40, standing in the name of Ms. Scott.

Ms. Scott has moved second reading of Bill 115. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1158 to 1203.*

**The Deputy Speaker:** All those in favour, please stand and be recognized by the Clerk.



**Ayes**

Amott, Ted  
Balkissoon, Bas  
Berardinetti, Lorenzo  
Craitor, Kim  
Delaney, Bob  
Dhillon, Vic  
Fonseca, Peter  
Hardeman, Ernie  
Klees, Frank

Lalonde, Jean-Marc  
Leal, Jeff  
MacLeod, Lisa  
Matthews, Deborah  
Milloy, John  
Munro, Julia  
O'Toole, John  
Ouellette, Jerry J.  
Patten, Richard

Prue, Michael  
Racco, Mario G.  
Runciman, Robert W.  
Ruprecht, Tony  
Scott, Laurie  
Van Bommel, Maria  
Wilkinson, John  
Witmer, Elizabeth  
Wong, Tony C.

**The Deputy Speaker:** All those opposed, please stand.

**Nays**

Marsales, Judy  
McNeely, Phil

Mitchell, Carol  
Parsons, Ernie

Rinaldi, Lou  
Smitherman, George

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 27; the nays are 6.

**The Deputy Speaker:** I declare the motion carried.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** On a point of order, Mr. Speaker: I'd like to refer it the finance and economic affairs committee.

**The Deputy Speaker:** Ms. Scott has asked consent that it be referred to the standing committee on finance and economic affairs. Agreed? Agreed.

All matters relating to private members' public business having now been completed, I do leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1207 to 1330.*

**MEMBERS' STATEMENTS****KIDS' FISHING DAY**

**Mr. Jerry J. Ouellette (Oshawa):** I would like to take this opportunity to thank all the volunteers, children and parents who participated in our sixth annual Kids' Fishing Day at Heber Down Conservation Area last Saturday.

What a wonderful, rewarding day it turned out to be. This year's event, which was exciting and fun-filled for both children and adults, attracted our largest crowd ever. Well over 1,200 participants came out to enjoy the sunshine and great outdoors.

With the support of many community and outdoor organizations, children were able to participate at no charge in a day filled with many events, including conservation and wetland displays, lure making, face painting, casting competition, Kim's Game and retriever demonstrations.

Ducks Unlimited; our own MPP, John O'Toole; Kids, Cops and Canadian Tire; Muskies Canada; the Ministry of Natural Resources; the Ontario Sporting Dogs Association; Oshawa Community Health; Oshawa Teen Council; Oshawa YWCA; Durham Regional Police; Pickering Rod and Gun Club; Lake Ontario Hunting Retriever Club; Port Perry BassMasters; Simcoe Hall Settlement House; South Central Ontario Big Game

Association; Westmount Kiwanis; and the Christ Centre all contributed time and effort to the success of the event.

I would like to give special thanks to the Toronto Sportsmen's Show, which once again showed its commitment to the future of fishing and conservation. Most importantly, I would like to thank all the parents and kids who showed up to make this year's event the best ever. It was a tremendous no-charge opportunity for children who usually don't get the opportunity to learn about fishing and nature and have fun discovering Ontario's great outdoors at the same time. Well over 200 rainbow trout were caught by the young anglers.

Once again, I would like to express my deep appreciation to the many people who made this memorable experience possible for the children of our community. Remember: There are still lots of fish to be caught in the pond.

**ITALIAN NATIONAL DAY**

**Mr. Mario Sergio (York West):** It gives me great pleasure to announce in the House today that tomorrow a milestone event is taking place on the grounds here at Queen's Park. On June 2, 2006, the Republic of Italy is celebrating the 60th anniversary of its national day.

At noon tomorrow, together with Minister Colle and the Consul General of Italy, Mr. Emanuele Punzo, we will preside over the first flag raising, joining Italy and the other 60 million-plus Italians throughout the world to celebrate Italy's national day.

To join us, directly from Italy for the event, Mr. and Mrs. Luigi Zanon are here with us in the east gallery today.

We take pride in inviting our community—all our people—to come and join in the celebration.

We know that Ontarians have long been mindful of the contributions Italians have made to our province and so, as we honour the raising of the Italian flag, we honour its people, their courage, their entrepreneurship and their vision to better this great province of ours and themselves. Yes, we are mindful of the fact that Italians, like so many other immigrants, embraced the call to come to this land in order to not only fulfill their destiny but to join with all our citizens to help mould the destiny of this, our nation of Canada, as well.

So tomorrow we celebrate a toast to Italy on its 60th anniversary. Everyone is invited to come and join in our hospitality. Come and appreciate our famous sports cars, motorbikes, fashions and food.

To tomorrow, to Italy, I say, Salute all'Italia. Cheers.

**PHARMACISTS**

**Mr. John O'Toole (Durham):** I rise in the House today to demonstrate my support for Ontario community pharmacies. As we all know, the local pharmacy is the front line of health care for many Ontario families. They



are available, approachable, open long hours, and are an important part of our business community.

Unfortunately, this first draft of Bill 102 threatens the livelihood of many local community pharmacies. It is estimated that as many as 300 pharmacies in Ontario would be forced to close if Bill 102 is allowed to pass. Some of those pharmacies may be in your riding or mine, the riding of Durham.

The impact on community pharmacists is not the only cause of concern. It's indeed about access or limited access to health care. We also need clarity on the detailed regulations of Bill 102. We also consider the impact of this bill on the pharmaceutical research, manufacturing and high-technology jobs.

Now that we have had an opportunity to review this legislation in committee, on which I sit along with Elizabeth Witmer, I would urge this government to make the necessary changes to prevent and preserve quality health care in Ontario while there's still time.

Community pharmacies are good medicine for Ontario. They deserve the support and respect of this House. I'm surprised and disappointed by the Minister of Health and this lack of openness and clarity with the people of Ontario and the threat to the professional pharmacists of this province for whom I—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### EVENTS IN CHATHAM-KENT ESSEX

**Mr. Pat Hoy (Chatham-Kent Essex):** With the tourism season underway, I invite everyone to Chatham-Kent Essex this summer. Chatham-Kent is a vibrant blend of rural and urban communities. We provide specialty shopping and wonderful dining.

The RM Classic Car Exhibit showcases one-of-a-kind classics and rare automobiles. Enjoy the natural beauty of Rondeau and Wheatley provincial parks. Visit the Buxton National Historic Site and Museum and follow the path of the underground railroad. In July, the Tartan Sertoma Highland Games are held in Chatham. In September, the Heritage Days' Faire at the Forks showcases a festival featuring War of 1812 battle re-enactments and exciting activities for the whole family.

In Essex, Leamington is known as Ontario's southern-most recreational playground and the tomato capital of Canada. Recently, a national publication, MoneySense, named Leamington as the number one place to live in the country. The magazine described Leamington as a tiny gem. Leamington has the perfect climate, beach paradise and exciting scuba retreat. Each year, naturalists from around the world come to witness the spectacular migration of birds and butterflies. ErieQuest Marine Heritage Museum houses the nautical history of the Pelee Passage. The Tomato Festival is held each August. Come to the parade, listen to the music and witness the world-famous tomato stomp.

There are numerous outdoor recreational opportunities in Chatham-Kent Essex: beaches, campgrounds, golf

courses, historical sites and festivals for everyone. Come to Chatham-Kent Essex.

#### CHILD CARE

**Mrs. Julia Munro (York North):** This morning I was pleased to meet with members of the Ontario Coalition for Better Child Care and listen to their views on Ontario's child care needs.

As an MPP, I believe it is important to hear what Ontarians think. In fact, it is a political responsibility. Our party is listening to Ontarians as we develop our policies. We are going to develop a plan that puts Ontarians and their children first. When we make promises to Ontarians, we will be keeping them. This is a stark contrast to what the Liberals do.

In the last election, Dalton McGuinty promised Ontario families and their children that he would spend \$300 million to create 25,000 child care spaces. Did he keep this promise? Absolutely not. This government does not keep its promises.

Now, Premier McGuinty is blaming the federal government for his failure to keep his promises. This is a failure of leadership.

Ontario is calling out for leadership. It is calling out for honest government. Ontario children deserve no less.

#### VOLUNTEERS

**Mr. Ernie Parsons (Prince Edward-Hastings):** I would like to pay tribute today to a special group of individuals who make this province a better place to live.

We have two young boys who absolutely thrive on their membership in the Stirling Cub pack. Whether it be sports, camping or other activities, the gatherings are both educational and highly enjoyable.

Yet these things happen only because of the willingness of a number of teenagers and adults who are prepared to give of their time, not just one night a week, but for other times such as camping or organizing future activities.

Our family owes a special thanks to Al Gray, Colin Berry and Bob Mullin for their leadership of our sons' cub pack. At times, they must feel like they're herding a bunch of cats.

In a similar vein, I watch with admiration and appreciation other members of my community who work with groups like the Beavers, the Brownies, the Scouts and the Guides. They truly are selfless. At the same time, I have the pleasure of attending special events involving young people participating in the Navy League, Sea Cadets, Army Cadets and Air Cadets. As an aside, I say with some pride that Belleville has the best Sea Cadet band in Canada.

At all these activities, I again see so many volunteer leaders, both parents and non-parents. I have no doubt in my mind that every member in this House can think of



similar individuals in their ridings who positively influence the lives of our young people.

I would like to extend my sincere thanks and appreciation to the many, many volunteers who freely give of their time to help our youth develop their skills and potential, while at the same time serving as positive role models. They truly make Ontario a better place to live.

1340

### FOREST INDUSTRY

**Mr. Gilles Bisson (Timmins–James Bay):** The people of Smooth Rock Falls are still waiting. They're waiting for this government's response on what it's going to do to assist the community of Smooth Rock Falls in the announced intended idling of the plant, of the Tembec kraft mill, in Smooth Rock Falls on July 31. The community, workers, families and others have been waiting for the government to respond in some way, in trying to figure out what can be done to avert this idling of the plant, or at the very least, to figure out how we're going to deal with the aftermath should that happen.

I'm saying to this government now that the community is not going to stand idly by and watch this government do nothing when it comes to trying to assist this community in its time of need. I'm inviting members of the government, and whoever wants, to be with us as we meet in Smooth Rock Falls on June 10. We are going to be having a meeting in that community. It will be an opportunity to take a look at what can be done. I'm calling on this government to do the right thing, and that is to step forward and become part of the solution rather than being part of the problem, which you have been for the last three years.

This plant is shutting down, and it's no big surprise, due to provincial government inaction in dealing with policy issues that are in its control that could have averted this announcement by Tembec. I'm saying to this government now, you have to step off the sidelines. You have to give up your laissez-faire attitude. You've got to do what's right. You have to become activists in trying to figure out what to do to respond to the crisis in the forest industry. And no more tinkering at the edges, because there will not be much left of the industry if you don't take serious action now.

### TETYANA ROGOLSKA

**Mr. Tony C. Wong (Markham):** I rise in the House today to recognize one of Markham's outstanding residents and students, Tetyana Rogolska.

Tetyana is one of the 20 recipients of this year's TD Canada Trust scholarship for community leadership. One of the most prestigious post-secondary awards in the country and valued at \$60,000, the TD scholarship is awarded to young people who have demonstrated exceptional and consistent leadership in striving to improve their community.

Tetyana and her family could not be here today, but she has promised to visit over the summer months.

With a passion for local and global social justice issues, Tetyana, a grade 12 student at Brother Andre Catholic High School, led a three-year campaign for a no-sweat uniform policy to be adopted by the York Catholic District School Board. Now in place, this policy ensures that uniform suppliers subscribe to full disclosure regarding their factory locations, making it possible to monitor the working conditions of their employees.

Tetyana has also worked with Street Patrol, delivering food and clothing to the homeless of Toronto, and has successfully started her own tutoring service. Tetyana plans to study medicine in Canada and one day to practise with a non-governmental organization like Doctors Without Borders.

Please join me in recognizing and congratulating one of Markham's best and brightest young people, Tetyana Rogolska. Tetyana, your compassion, initiative and perseverance are a shining example of excellence in character that is helping build a stronger Ontario.

### TOBACCO INDUSTRY

**Mr. Kim Craitor (Niagara Falls):** Last Thursday, May 25, I had the distinct privilege of meeting with students from 30 Niagara region high schools who hosted their first annual Niagara Youth Tobacco Conference in my riding of Niagara Falls at the McBain family community centre.

These students have a direct and blunt message for their peers and I thought I'd share this message with this assembly today. Their message is simply: Don't be a target—REACT now. Don't be a target of the large multinational tobacco conglomerates that target youth to be their new customers. REACT stands for resist, expose and challenge the tobacco industry now.

REACT is a group of energetic youth from across Niagara. Their goal is to raise awareness about the manipulation by the tobacco industry and the health hazards of smoking. These are exceptionally bright and talented youth from our region, reaching out not only to their peers in high schools but also to students from local public schools to prevent them from starting to smoke or, in some cases, to encourage them to quit.

These students are our best advocates for a smoke-free Ontario. They deserve support, encouragement and congratulations from all members of this House and, in fact, from the people of Ontario, for their efforts will save lives and create a healthier Ontario.

### VISITORS

**The Speaker (Hon. Michael A. Brown):** I'd like to bring to the attention of the House, and to welcome, Steve Mahoney, a member of this place in the 34th and 35th Parliaments representing Mississauga West.



## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
JUSTICE POLICY

**Mr. Vic Dhillon (Brampton West–Mississauga):** I beg leave to present a report from the standing committee on justice policy and move its adoption.

**The Clerk-at-the-Table (Mr. Todd Decker):** Mr. Dhillon from the standing committee on justice policy presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill, as amended:

Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / *Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.*

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1347 to 1352.*

**The Speaker:** Shall the report be received and adopted on Bill 56? All those in favour will please stand one at a time and be recognized by the Clerk.

## Ayes

Arthurs, Wayne  
Balkissoon, Bas  
Bentley, Christopher  
Berardinetti, Lorenzo  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Cordiano, Joseph  
Craitor, Kim  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline

Dombrowsky, Leona  
Fonseca, Peter  
Hoy, Pat  
Jeffrey, Linda  
Kwinter, Monte  
Marsales, Judy  
Matthews, Deborah  
Meilleur, Madeleine  
Milloy, John  
Mitchell, Carol  
Oraziotti, David  
Peters, Steve

Phillips, Gerry  
Racco, Mario G.  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Sorbara, Gregory S.  
Van Bommel, Maria  
Wilkinson, John  
Wong, Tony C.

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Amott, Ted  
Bisson, Gilles  
Elliott, Christine  
Hardeman, Ernie  
Horwath, Andrea  
Klees, Frank  
Kormos, Peter

MacLeod, Lisa  
Marchese, Rosario  
Miller, Norm  
Munro, Julia  
O'Toole, John  
Ouellette, Jerry J.  
Prue, Michael

Runciman, Robert W.  
Scott, Laurie  
Tabuns, Peter  
Tascona, Joseph N.  
Witmer, Elizabeth

**The Clerk of the Assembly (Mr. Claude L. Desrosiers):** The ayes are 34; the nays are 19.

**The Speaker:** I declare the motion carried. The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

FIRE PROTECTION STATUTE LAW  
AMENDMENT ACT, 2006LOI DE 2006 MODIFIANT DES LOIS  
EN CE QUI A TRAIT À LA PROTECTION  
CONTRE L'INCENDIE

Mr. Prue moved first reading of the following bill:

Bill 120, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes / *Projet de loi 120, Loi exigeant que le code du bâtiment et le code de prévention des incendies prévoient des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.*

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Michael Prue (Beaches–East York):** This bill does two very short things. It ensures that every residential building with two or more dwelling units is equipped with fire detectors in all public corridors and common areas of the building, and interconnected fire alarms that are audible throughout the building; and secondly, that every fire escape is constructed of non-combustible material. This is identical to a bill I introduced prior to the last prorogation.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## DEAF-BLIND AWARENESS MONTH

MOIS DE SENSIBILISATION  
À LA SURDI-CÉCITÉ

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** I rise in the House today to recognize the start of Deaf-Blind Awareness Month in Ontario. June is also the birth month of Helen Keller, a deaf-blind woman who has been a beacon of hope for millions of people who aspire to her model of perseverance and achievement in the face of enormous challenges.

Helen Keller est une source d'inspiration pour toutes les personnes sourdes et aveugles, et une héroïne pour tous ceux qui connaissent son histoire.

Il est important de sensibiliser davantage le public à la surdité et à la cécité si nous voulons élargir l'éventail de possibilités pour les personnes qui en sont atteintes.

So it was my great pleasure this morning to join members of the Canadian National Institute for the Blind, the Canadian Hearing Society, and the Canadian Deaf-blind and Rubella Association to announce that our government is increasing its investment in intervenor and



interpreter services this year. I want to recognize two individuals from the Canadian National Institute for the Blind who have joined us today: Louise Goldhar, regional manager for Toronto, and Christopher McLean, government relations manager. Thank you for joining us.

Nearly \$11 million will be invested to improve access to services for those who need them. We are providing over \$5 million for more service for individuals who are deaf-blind to live more independently in their communities. We are investing \$5 million to increase salaries and improve training for the men and women who provide these vital services to people who are deaf and deaf-blind. We are also increasing our funding to agencies by another 2%.

For someone who is deaf-blind or has a hearing impairment, communication barriers can seriously limit their access to activities most of us take for granted, such as going to the bank or visiting the doctor. By breaking down these communication barriers, we are building greater independence for people with disabilities, and greater independence means better access to their community, its services and its quality of life. That is something every Ontarian should have the opportunity to do—to participate in the life of their community as much as they are able to.

1400

Nous constatons aussi un besoin croissant d'interprètes gestuels et tactiles francophones en Ontario. Par l'entremise de la Société canadienne de l'ouïe, nous finançons actuellement des services d'interprétation en Langue des signes québécoise à Ottawa et à Sudbury. Nous sommes conscients que l'Ontario manque de services d'interprétation et d'intervention en français et de possibilités de formation d'interprètes gestuels et tactiles francophones. Nous devons encourager un plus grand nombre de personnes à devenir des interprètes gestuels et tactiles en LSQ. Nous sommes déterminés à prendre les mesures nécessaires pour combler ce manque.

Our government took a strong stand for accessibility when we made the Accessibility for Ontarians with Disabilities Act, 2005, the law in this province, and I am very proud of it.

Our accessibility commitment is prompting action from across the government, not just in my ministry. We are providing \$1.9 million to the Canadian Hearing Society and the Canadian Deafblind and Rubella Association through the Ministry of Finance, strengthening our partnership initiative. This will result in an intervenor and interpreter services database that will make it easier and faster for people to find services.

De plus, mon collègue le ministre des Transports a annoncé l'an dernier une série d'améliorations aux règlements sur le stationnement accessible, dont un nouveau permis de voyageur que les personnes handicapées peuvent utiliser dans les aéroports de l'Ontario. Ainsi, les titulaires peuvent amener leur permis ordinaire avec eux et garer leur véhicule dans les places désignées lorsqu'ils arrivent à destination.

Today's announcement is one more victory for people with disabilities. We must promote every step forward we make in our quest for an accessible Ontario. I encourage all honourable members to participate in the activities of Deaf-Blind Awareness Month and to join us in building a province in which people with disabilities can participate to their fullest potential.

## INJURED WORKERS' DAY

**Hon. Steve Peters (Minister of Labour):** I'm honoured to be able to speak to this Legislature on Injured Workers' Day. Today, it is important for those of us who are elected to represent to stop and focus on the concerns of injured workers in this province.

I'd ask all members in the House to welcome those injured workers who are joining us today in the gallery. I want these workers and all workers in Ontario to know we are working to create a brighter future for them.

We know that a workplace injury can be a life-altering experience. One moment you are at work, carrying out a task that you've done a thousand times before, and then the unexpected happens. What should have been another ordinary day at work becomes one that changes your life forever.

On average, the Ontario Workplace Safety and Insurance Board recognizes 275,000 workplace injuries and disease claims each year. Almost 90,000 of these are serious enough to require time off work. It is important to note that these injuries do not just affect the workers involved; they affect the workers' friends, colleagues and, most importantly, their families. A serious injury can devastate families both emotionally and financially.

Our government is on the side of working families. That's why we are working to ensure that Ontario has the safest and healthiest workplaces in the world, supported by a workplace safety and insurance system that is strong enough to support our workers and their loved ones when they need it most, today and for generations to come.

Each member in this House has met with constituents whose lives have been changed forever by a workplace accident. Today, outside this building, we had the opportunity to once again meet the real people behind these devastating statistics. Again I was able to hear some of their stories, to hear what has happened to them and their families since these tragedies first occurred.

Injured workers and their families, though, are not just statistics. For this reason, our government is committed to renewing the Workplace Safety and Insurance Board. Only with a strong and healthy WSIB can we ensure that injured workers and their families can be treated with dignity, fairness and the respect that they deserve.

Early in our mandate our government called for an independent audit of the WSIB to assess the administration and financial stability of the organization. Many excellent recommendations emerged from this audit. We are pleased with the strides that the board and the management of the WSIB have made in implementing them.



One of the key recommendations was for greater accountability through the separation of responsibilities between the chair and the president. Through an extensive, thorough and transparent process, we have now filled both positions with strong, experienced and capable individuals.

Jill Hutcheon has been confirmed as our president. She had previously filled that role while acting as the interim chair. Today, I was pleased to introduce the newly confirmed chair of the Workplace Safety and Insurance Board, Mr. Steve Mahoney, who joined me on the steps to address the injured workers. He's also here with us in the House today.

Mr. Mahoney comes to the WSIB at a time when it's once again finding its feet with renewed financial stability and an optimistic outlook towards a strong future supporting Ontario workplaces, workers and their families. Mr. Mahoney has a long history in public service and brings both critical experience and genuine enthusiasm to this challenging role.

The workers of Ontario, particularly those who have suffered workplace injuries, and their families need a strong leader in that position, someone who truly understands what is needed to protect their interests, someone who will ensure that they are treated with respect. Mr. Mahoney has demonstrated these abilities over a long history of public service. His selection has been supported by a wide range of stakeholders with a clear interest in the WSIB and the prevention of workplace injuries.

I'm proud to address my colleagues here today on Injured Workers' Day and to welcome Mr. Mahoney to join Ontario's mission to combat workplace injuries and illnesses. He'll be a strong leader for the WSIB. He'll be an asset as we continue to move forward to help Ontario families by ensuring the safest and healthiest workplaces.

Thankfully, our efforts to reduce workplace injuries across Ontario by 20% by 2008 are showing dramatic results. Through our high-risk strategy alone, there have been 14,500 fewer lost-time injuries than would otherwise have occurred. That means 14,500 fewer examples of human suffering. That means 14,500 instances of continued, rather than lost, productivity.

The very best that we can do for workers is to work to prevent injuries in the first place, but when workers are injured, they need to know that they will be treated with fairness, dignity and respect. They need to know that their injury is not the end of the road and that supports exist to protect them and their families.

Today we look forward with renewed optimism to a strong future at the WSIB and a safer and healthier future for Ontario workers.

#### DEAF-BLIND AWARENESS MONTH

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I'm going to briefly respond to both of the statements that have been made by the Liberal cabinet ministers.

The first statement, recognizing that this is the start of Deaf-Blind Awareness Month in Ontario and the fact that the government is planning to improve access to services, is a very important announcement, and we would certainly support that. I would agree: It is extremely important that we break down the communication barriers and ensure that we can build greater independence for people with disabilities.

#### 1410

The minister made reference to June being the birth month of Helen Keller. I have to tell you, as a teenager, I read Helen Keller's book, her autobiography, and probably she is one of the most inspirational individuals I have ever met. Certainly she is somebody who had an impact on my life and obviously the lives of thousands of other people. With the perseverance she exhibited and the achievements she made in the face of enormous challenges, I think she is a tremendous role model for all people in this world. So it is appropriate that this announcement would be made today in order that we can break down those communication barriers and encourage the building of greater independence for people with disabilities.

#### INJURED WORKERS' DAY

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I want to move on now to the fact that we are today recognizing Injured Workers' Day. I think successive governments have recognized that this continues to be a very serious problem in the province of Ontario, and today is an opportunity for us to stop and focus on that fact. Despite the best efforts of successive governments, I know that injured workers still have many concerns that they believe need to be addressed.

In fact, I was taking a look at the statistics, and in 2005, there were 357,555 total reported claims for injuries and occupational disease. We know that this is just the tip of the iceberg, because researchers have pointed out to us that there is extensive underreporting of occupational injuries, diseases and death. So it's obvious that we still have a big, big job to do in making our workplaces as safe as we possibly can. Again, it's something that I know all governments have worked very hard to do. Then, I guess we also need to remember that when people do suffer injury on the job, they face many challenges. We need to continue to support those individuals and address their concerns.

But I want to take this opportunity today to congratulate my very good friend and former critic for labour. When I was first elected to this House in 1990 and was asked to become the critic for labour, I had the good fortune to work with the critic for labour from the Liberal Party, and that person's name was Steve Mahoney. I have to tell you, I'm very pleased with the announcement of Steve Mahoney as the new leader of the WSIB. In having had the opportunity to work with him, I know he will do an outstanding job and so I just want to



congratulate Steve. I want to thank the government for making that decision.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to speak on behalf of New Democrats on Injured Workers' Day and to say how sad I am with the pitiful and perfunctory remarks by the Minister of Labour on this very important day. Instead of using this day to make some real announcements to help injured workers, you talk about shuffling the deck. Well, shame on you, Mr. Minister.

You know what? If you're talking about shuffling the deck, you could have at least renamed the deck to talk about workers, to talk about workplace injuries and to talk about insurance for workers who are injured on the job, but no, you didn't do any of that.

Did you talk about the fact that we need to change the system so that workers who are injured on the job don't continue to see their pay eroded, their benefits eroded year after year with the lack of indexation? I didn't hear that from the Minister of Labour. If there's one thing injured workers need, it's to have their benefits indexed so they don't continue to fall deeper and deeper into poverty every single year.

I have some other ideas for you, Mr. Minister. If we're lucky, maybe next year on Injured Workers' Day you might find it in your bag of ideas to come up with some of these reforms that they're asking for, that they have asked for year after year. For example, the number of workers who are covered currently—that's a problem here in Ontario. I'll give you one example: Agricultural workers still have difficulty having coverage with the WSIB. Why is that? Because there need to be some reforms as to who is covered by WSIB. The types of injuries that people get on the job, things like repetitive strain injuries, things like exposures in the workplace to carcinogens and other toxins: Workers have to fight tooth and nail just to have those injuries acknowledged as workplace-related. That, in this day and age, is a crying shame for workers in the province of Ontario.

I recently tabled a bill asking the government to consider presumptive legislation for firefighters who are injured on the job who have carcinogenic exposures on the job, who end up sick and dying. What do the families have to deal with? Not only firefighters but other families of injured workers who are exposed to carcinogens and toxins on the job, face a fight with the WSIB. They fight just to have their claims acknowledged. So if you really want to help injured workers on Injured Workers' Day, you can clean up the bureaucratic nightmare they have to go through just to have their claims acknowledged by the WSIB.

What else is happening in regard to this? The minister could turn his eye to the fact that the workers gave up the right to sue back in 1911 with the Workers' Compensation Board being implemented. In the meantime, you talk often about the fact that you're doing all kinds of things to deal with safety in the workplace. You know as well as I do, Minister, that there are people who are injured on the job—I brought one to your attention not

too long ago in this House, where the worker was in a confined space and the employer did not undertake his obligations under the Occupational Health and Safety Act. There was an explosion, 90% of his body was burned, and your inspectors and your ministry did not prosecute that employer. If you want to get employers to clean up the workplace, you've got to take them to task when they injure workers on the job. That is your responsibility.

So when you talk about injured workers on Injured Workers' Day, Minister, we want to see more than just a shuffling of your bureaucratic deck. We want to see some real commitments to changes that are going to help injured workers, changes that are going to make sure that they don't have the indignity and the insult of fighting to have a claim recognized, that they don't have to go into the workplace not knowing whether or not, if they are injured on the job, their families are going to be able to survive. Why? Because, as you know and as you even acknowledged in your remarks, the bottom line is that injured workers and their families go through the depths of hell when they're injured. Why do they do that? Because they lose their income, because they lose their dignity, because oftentimes they have to deal with all kinds of emotional difficulties because their lives have been torn apart. Families break up. People lose their homes.

It's not just a matter of standing up here on Injured Workers' Day and talking nice about some shuffling of the deck in terms of the people you're putting in place at the WSIB. Injured Workers' Day is a day to remember that workers in Ontario are still getting short shrift when it comes to the WSIB, when it comes to their ability to get appropriate compensation, when it comes to their ability to have their injuries and their exposures acknowledged as workplace-related.

There's a heck of a lot of work to do on this file, Minister, and it's not good enough to use this day to announce your appointments. It's important that you actually start moving on some of the outstanding issues that injured workers are bringing to you, year after year, as you've been the Minister of Labour. The McGuinty Liberals have failed injured workers and continue to break promises that were made during the campaign.

*Interruption.*

**The Speaker (Hon. Michael A. Brown):** Order. I would like to remind our visitors that demonstrations are not permitted. This is a place where only the members have the ability to speak.

## VISITORS

**The Speaker (Hon. Michael A. Brown):** We have with us in the Speaker's gallery a delegation from the Republic of Yemen, led by His Excellency Dr. Abdul Aziz Abdul Ghani, Speaker of the Shoora Council of Yemen. The delegation is accompanied by His Excellency Dr. Abdulla Nasher, Ambassador of Yemen to Canada.

Please join me in welcoming all the delegation to the Legislature of Ontario.



## ORAL QUESTIONS

## AIR QUALITY

**Mr. John O'Toole (Durham):** My question is to the Minister of Energy. Could you please explain to us all today why you are deliberately ignoring the truth when it comes to your broken election promise of closing the coal plants in Ontario by, first, 2007 and now changed to 2009? Why did you and the Premier tell Ontarians you were going to close down these two plants on unachievable deadlines, and why is Dalton McGuinty not on the side of telling Ontarians the truth?

**Hon. Dwight Duncan (Minister of Energy):** This government remains on the side of cleaning up our airshed. Let me assure the member opposite that unlike you and your leader, our Premier and this government remain committed to reducing the serious emissions that are going into our airshed day in and day out.

We cannot ignore the CO<sub>2</sub>. We will not turn our back on Kyoto, the way Conservatives have in this province and in this country. We will not turn our back on those thousands of people who die prematurely because of our air quality problems. We remain committed to the goal of cleaner air, and we will use all of our resources to bring those emissions down as quickly and as safely as we can.

That is the challenge. It is formidable. It is formidable because members like the member opposite and people like Mr. Tory would prefer to stand up for dirty air. We will stand up for cleaner air and responsible electricity generation—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. O'Toole:** Minister, once again you're ignoring what the question really is here. In fact, you seem to be very smartly pulling another scheme similar to your election performance when you promised something that you were simply incapable of achieving.

Minister, the reality is that your plan is false and ridiculous, and that you are going to try to use the next IESO report as a scapegoat on the citizens of Ontario. You're going to use that report to once again, dare I say, mislead the people of Ontario.

*Interjections.*

**The Speaker:** I need you to withdraw that last remark.

**Mr. O'Toole:** I withdraw that expression, but it is a pressing issue. I simply want you to tell the people of Ontario the truth.

Why did you and the Premier set these knowingly unachievable dates during the election and now, when you are asked the question directly, you're refusing to be straightforward with the people of Ontario? Stand today and tell us the plan for coal and clean air in the province of Ontario.

**Hon. Mr. Duncan:** The plan was and remains the plan to phase out coal generation and therefore clean up

our environment. It is wholly wrong to suggest for a moment that we have not reduced greenhouse gases. We have. We have reduced the NO<sub>x</sub> that are going into the environment, the SO<sub>x</sub>, the mercury, the particulate, and we will continue to work towards that goal.

This is a difficult challenge, one that that member and his party turned their back on. They said no to cleaner air and yes to more coal. We say yes to cleaner air and no to more coal. I acknowledge that it is a difficult challenge. I acknowledge that it is difficult in every sense to achieve. I acknowledge that there have been setbacks. But do not mistake that for this government's willpower and its determination to clean up this province's airshed, to provide a better quality of life for the people of this province, to stop people like you who want to keep polluting our—

**The Speaker:** Thank you. Final supplementary.

**Mr. O'Toole:** Once again, Minister, I'm quite concerned that you are not being straightforward with the people of Ontario. In fact, the truth is that our minister, Minister Witmer, was the one who announced the closure of the coal plant at Lakeview. It was our government that made the commitment—a realistic commitment—of closing coal by 2015. It's your government that responded to the polls and said you would close coal by 2007.

What we're simply asking you today is to tell the people of Ontario the truth about your plan to close the coal plants, or are you going to hide behind the obfuscation of the IESO report, telling them that you cannot close the coal plants? We've been telling you that for 10 years. Why aren't you on the side of the people of Ontario by telling them the truth of your plans for the coal plants in Ontario?

**Hon. Mr. Duncan:** This government is clearly on the side of the people of Ontario. We respect the Independent Electricity System Operator's reports, and I'll remind the member opposite that they suggested just the day before yesterday that because of this government's efforts and initiatives, not only do we have less to worry about this summer in terms of supply, but we also have a cleaner supply. Let me give that member opposite this government's assurance: We will not pursue your policy. We won't set up 100 diesel-fired generators throughout Ontario. We will not stop the production of new electricity. We will not shut down electricity while this province is sweltering.

It is a difficult challenge. It is difficult in the face of a number of factors to achieve the goals we set out, but this government remains committed to cleaner air, to less CO<sub>2</sub> going into the environment, to protecting the health and livelihood of all the people of this Ontario in as timely a fashion as one possibly can.

## STREET RACING

**Mr. Frank Klees (Oak Ridges):** To the Acting Premier: Rob and Lisa Manchester of Oak Ridges lost their lives this last Saturday when their car was shredded by a Honda Civic that was racing at some 140 kilometres



per hour through streets in Richmond Hill. The Ministry of Transportation has been aware that street racing is an increasing threat to people's lives and to road safety in this province, and that specific legislation is required to back up front-line police officers in dealing with this incredible problem. Given that knowledge, why is it that it has been almost three years now that you have been in government and you have yet to bring in legislation to deal with this important issue?

**Hon. Gerry Phillips (Minister of Government Services):** To the Minister of Transportation.

**Hon. Donna H. Cansfield (Minister of Transportation):** First of all, on behalf of everyone in the Legislature, I'd like to extend to the Manchester family and especially to their little girl our deepest regrets over this incident. It took the lives of her parents.

There's no question street racing is illegal, and there are some very rigorous processes in place both from the criminal justice side and also from the Highway Traffic Act. But what I believe the member is referring to is the issue around after-market products, which was part of a bill you had introduced—I'm presuming that's what it is, and I made a decision and an undertaking to follow through and to investigate that file, to see what the issues are in dealing with street racing.

**Mr. Klees:** Acting Premier, I'm sending over a copy of Bill 20, which is a bill that was introduced in May 2003. It deals specifically with issues relating—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order.

**Mr. Klees:** The reason it wasn't passed was because the House leader at the time refused to give us unanimous consent.

*Interjections.*

**The Speaker:** Stop the clock. Minister. I can wait.

The member for Oak Ridges.

1430

**Mr. Klees:** That bill was introduced on May 5, 2003. It contained very specific provisions to enforce the message that street racing is illegal, that it is dangerous and that it will not be condoned in this province. It empowers police officers to impound vehicles and suspend licences on the spot. It prohibits nitrous oxide fuel systems that are connected in any vehicle driven on any road in this province, and it provides for fines up to \$1,000 and up to six months in jail for contraventions.

My question is this, and I appreciate the new minister's willingness to look at this: Why has it been almost three years without this government being willing to bring forward this legislation that saves lives? Why has it taken three years for this government to act on this important issue—

**The Speaker:** The question has been asked. Minister?

**Hon. Mrs. Cansfield:** I thank the honourable member for his question. Ontario, in the Highway Traffic Act, has one of the most rigorous sets of controls across Canada dealing with street racing.

Aside from that, I did indicate that I would be quite prepared to go through the file to look at the issue of

after-market products and the impact, and to review this. I'm quite prepared to do that. I understand that the issue is very serious, and we take this very seriously, because we are looking at human life.

**Mr. Klees:** I welcome the new Minister of Transportation's response to this question. What concerns me are the quips from some of her colleagues that obviously disregard the fact that lives have been lost recently and over the last number of years.

What I'm concerned about is that, in the interest of defending their inaction on this important file, they lose sight of the fact that it is their responsibility that this legislation has been on their books and that they have failed to take action on this important issue.

I want to ask the new minister, when can we expect, then, to see a tabling of that legislation in this House? When can we expect to see the legislation?

**Hon. Mrs. Cansfield:** Again, there's nobody on this side of the House, and presumably on any side of the House, who would not take this very seriously, because we are dealing with human life. A child has lost both her parents. This is serious.

We currently do have the ability to impound and suspend, to do some very rigorous things. Should there be more? I'm quite prepared to look at that. I indicated that I will look at that as soon as possible. I actually have been doing some homework on those after-market products myself—nitrous oxide—to find out and to understand exactly how this works within the system. So I'm quite prepared to do this. We all take this very seriously.

As I indicated, everybody in this House sends to that family their deepest condolences, and to that little girl, who will not have her parents for the rest of her life.

## CHILD CARE

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Children and Youth Services. Minister, this week you went to Ottawa to meet with your federal and provincial counterparts to discuss child care, and you came back empty-handed. My question: What is the McGuinty government's strategy now to create the child care spaces that you promised and that are so desperately needed by working families across Ontario?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** The leader of the third party just sort of—I can't tell where he's really coming from, because for the past several months I've been calling upon the NDP here in Ontario to join the federal NDP in support of what we are trying to do for families and kids in Ontario in encouraging the government of Canada to honour the well-thought-out and thorough, well-considered, five-year, \$1.9-billion agreement, which would have resulted in 25,000 new child care spaces in Ontario. Maybe I just missed it, but I cannot recall seeing any request from the leader of the third party to the federal government to honour that commitment.



**Mr. Hampton:** Minister, it may come as some surprise to you, but those issues will be addressed in the federal House of Commons.

I'm more concerned about the promise that was made by the McGuinty Liberals in 2003 to invest \$300 million of new provincial money to fund child care spaces in Ontario. It's clear that the McGuinty government has broken that promise. You haven't invested any new provincial money in child care.

Quebec has a very strong child care system because successive Quebec governments have funded child care as a priority.

My question is this: What is the McGuinty government's problem? Why hasn't the McGuinty government honoured your promise to invest \$300 million of new provincial money to create new child care spaces in Ontario?

**Hon. Mrs. Chambers:** The leader of the third party said something quite meaningful and profound just now. He said that successive governments in Quebec have supported child care. It's a pity we can't say that here in Ontario. If that were the case in Ontario, then the NDP, when they had the opportunity to support child care in this province, would have done the same. We have provided them with other, more recent opportunities to support the child care plan, and they have not agreed; they have not come forward. So what's happening here is something of a sham. He has not convinced me that he is truly committed to child care because he has done nothing for families in Ontario.

When you make reference to Quebec, maybe you would like to also support our Premier as he stands up for Ontarians in trying to ensure—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Final supplementary.

**Mr. Hampton:** I just want Dalton McGuinty to stand up and keep his own promise. That's all I want.

Minister, the NDP government invested over half a billion dollars in new child care spaces under difficult economic circumstances. The McGuinty government, this past financial year, had \$3 billion in additional unexpected revenue. You had the opportunity to make substantial new investments in child care, but you chose not to. In fact, your budget shows that you're actually going to be reducing the funding of child care. So instead of trying to blame governments that may have been here 15 years ago, instead of trying to blame someone else in another province for your own broken promise, how about taking some of that money that you've salted away and using it for the expansion of child care, like Dalton McGuinty promised?

**Hon. Mrs. Chambers:** I'm really happy to have the opportunity to comment on this so-called salting away of money, according to the leader of the third party, because we wouldn't want the people of Ontario to be misled by what they're hearing here. Let me tell you what is in fact accurate.

**The Speaker:** I really don't like that word. Are you going to withdraw that?

**Hon. Mrs. Chambers:** I withdraw "misled."

Let me say that we want to have an accurate representation of what's actually happening here, because through the agreement that we struck with the federal government last year, \$1.9 billion would have gone toward the creation of 25,000 spaces. Since we are coming from so far behind, because of the tradition of neglect of this file by previous governments, we have a lot of catching up to do. But let me tell you, I'm very, very pleased that our government is sustaining the creation of almost 15,000 new spaces this year, and I—

**The Speaker:** Thank you, Minister. New question?

**Mr. Hampton:** Minister, we wouldn't want the people of Ontario to not see Dalton McGuinty keep his promise either, would we?

#### ONTARIO IMMIGRANT INVESTOR CORP.

**Mr. Howard Hampton (Kenora–Rainy River):** My next question is to the Acting Premier. The Ontario Immigrant Investor Corp. is a provincial crown agency responsible for investing immigration dollars received from Ottawa "to create or continue employment in Ontario in order to foster development of a strong and viable economy."

Since 1999, the Ontario Immigrant Investor Corp. has received \$328 million and accrued \$10 million in interest—money that was supposed to be earmarked to create jobs in Ontario. Can you tell us, to date, how many jobs has the Ontario Immigrant Investor Corp. created?

**Hon. Gerry Phillips (Minister of Government Services):** The Minister of Economic Development.  
1440

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** I want to say that the Ontario Immigrant Investor Corp. exists for the very purpose of ensuring that there's economic development occurring.

Let me say something about the money that has accrued. This money is not the province of Ontario's to spend. The government of Ontario cannot spend this money because this money has to be repaid to immigrant investors. If we did spend this money, the deficit this year would have increased by that amount of expenditure. Instead of doing that, this government has done the fiscally responsible thing. We invested that money, as did the previous government. The interest accruing on that amount of money is going to be a revenue stream, and those monies will be expended to create new programs for economic development purposes. That's what is being done with the immigrant investor money.

**Mr. Hampton:** What we heard, through all that mumbo-jumbo, was that zero jobs were created and zero jobs were sustained.

I want to take the minister to the actual act, where it says:

"The objects of the Ontario Immigrant Investor Corporation are,



“(a) to create or continue employment in Ontario in order to foster development of a strong and viable economy.” All right? It doesn’t say anything about the McGuinty government taking immigrants’ money and using the interest therefrom to make its own budget look better.

Let me put it to you this way, Minister: Did you know there are all these new Canadians who have degrees in engineering, who have degrees in science, and yet they’re forced to drive taxicabs because there isn’t a policy and a program in place to have their credentials recognized? Don’t you think—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister?

**Hon. Mr. Cordiano:** I get it: The leader of the third party, a party that increased the debt of this province by some \$40 billion, would have us spend money that this province does not have.

I will repeat what I said earlier for the leader of the third party: That money must be repaid to the immigrant investors; that money would therefore increase the deficit. This is not money the province has. If we spent it, it would mean an increase in our deficit.

I know that the third party, the NDP, was famous for spending money it didn’t have. It increased deficits year after year. This government will not act fiscally irresponsibly; this government is doing the right thing. The revenue that is being accumulated will be invested. We’re working on plans and initiatives to create new programming for economic development purposes. Unlike that party, that—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** Minister, here is the law. The law says that this money is to be used “to create ... employment” or to sustain employment. We know that we’ve got literally hundreds of thousands of new Canadians who are either unemployed or underemployed, in many cases because they can’t get their professional and academic credentials recognized in Ontario. Other provinces, like Manitoba, use the interest from this fund to in fact help immigrants find employment.

You are swindling these people. You’re taking this money and—

**The Speaker:** I need you to withdraw.

**Mr. Hampton:** I withdraw, Speaker.

The McGuinty government is not using this money properly. This money should be used to create and help sustain jobs; it should be used to help these new Canadians, new immigrants, find jobs. What’s your excuse for taking money and using it to try to make yourself look good?

**Hon. Mr. Cordiano:** What is this member talking about? This is capital that must be repaid to the immigrant investors. We have revenue by way of interest that has been accrued. The interest is going to be used for economic development initiatives. Those initiatives are being worked on.

This money has been accruing since 1999. This is a government that’s going to bring forward economic initiatives around that for economic development purposes.

But we will not use the capital, because that capital must be returned—

*Interjection.*

**Hon. Mr. Cordiano:** Yes, you did, in the first question. You were wrong about that, as you’ve always been wrong.

We have plans in the works, and, in addition to that, soon we will be tabling reports for the first time. The previous government failed to do that.

What is it that the member doesn’t understand about this program? We have capital that must be returned to the immigrant investors. We have revenue by way of interest that has been accumulating. That interest revenue will be used to develop economic programs—

**The Speaker:** Thank you. New question.

## NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds–Grenville):** To the Acting Premier: Yesterday, native protesters set up an information picket at the Brantford casino claiming the site as theirs, that they own the property the casino sits on. As you may know, the first step towards the Caledonia land occupation, now in its 94th day, was a similar information picket. Minister, can you advise us if you’re taking action to deal with the Brantford challenge, or are you once again going to sit on the sidelines until the situation deteriorates and becomes Caledonia II?

**Hon. Gerry Phillips (Minister of Government Services):** As in Caledonia, we will look at the situation. I gather it’s happened within the last 24 hours. We will, as we did before, make sure we’ve got an appropriate response. We’ll make certain that we take steps to deal with this as peacefully and as cautiously and as calmly as we possibly can. I use the experience in Caledonia, where I think we have had the appropriate people in there. We now have the experience of dealing with that.

I just want to assure the people of Ontario that we take the matter seriously. We’ll make certain that we deal as quickly as we can with the situation and work as hard as we can to make sure that we can end up with a peaceful solution that’s fair to all who are involved in it. I give the people of Ontario that assurance. We are looking very carefully at the matter right now.

**Mr. Runciman:** I suspect a lot of the residents of Caledonia would disagree with that assessment.

There’s a story in today’s Hamilton Spectator quoting a Six Nations representative, indicating that former Liberal Premier David Peterson is reneging on a Caledonia settlement deal that apparently includes the Burtch correctional properties as a bargaining chip. Mr. Peterson has denied the claim. I would ask you to clarify the situation. Is Mr. Peterson reneging on the deal, and just what is the appraised value of the Burtch property you have offered to the occupiers?

**Hon. Mr. Phillips:** I would say that the quick answer, of course, is no. But when you’re involved in a complex situation like this, where we have our First Nations, we have the community, we have Mr. Peterson, we have a



variety of complex issues, surely you're not asking here in the Legislature to comment on a particular news item. This is a matter that will be resolved with Mr. Peterson, with our First Nations people.

I would say in response to the first issue you raised, I gather that that issue was part of the Haldimand trust land arrangement. I will just say I believe that Barbara McDougall is involved in that particular case, as well as Jane Stewart. I think the provincial government has appointed Jane Stewart; the federal government, Barbara McDougall. They are working on that particular issue. So on the one you raised first, Barbara McDougall and Jane Stewart, I gather, are working on that. On the second one, Mr. Peterson is working on the—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

### INJURED WORKERS

**Ms. Andrea Horwath (Hamilton East):** To the Minister of Labour: Minister, during the last election campaign, Dalton McGuinty promised Ontario workers, and I quote, "to introduce a fair inflation factor to protect worker benefits from inflation." Today we're joined by injured workers from across the province, and they want to know, why haven't you kept your promise?

**Hon. Steve Peters (Minister of Labour):** It's interesting that the honourable member has asked that question, that it was she who asked it, because obviously her colleagues do not have the guts to stand up and ask that question.

Perhaps her colleagues who sit around her will tell the injured workers up there who created the Friedland formula. Who started to erode benefit protection for injured workers in this province? Who introduced Bill 165? Who stood up on December 6, 1994, and voted in favour of Bill 165 that created the Friedland formula? Bisson, Kormos, Hampton, Martel, Marchese. It's no wonder that these individuals didn't ask that question.

We undertook a comprehensive audit at the WSIB to get the financial house in order. We've got a new chairman in place. On behalf of this government—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

1450

**Ms. Horwath:** Minister, this is about what you can do today, not what Bob Rae did 12 years ago. People who get injured on the job shouldn't have to spend the rest of their lives living in poverty, and we all agree with that, but that's what's happening to injured workers across this province today. Inflation has eroded nearly 20% of the compensation that they receive. As one injured worker told us today, people are not only losing their jobs, they're losing their cars, their homes, their savings, their families and, ultimately, they're losing their dignity and their self-respect.

Minister, you made a promise to fix the problem and bring in a fair inflation factor. You made that promise. When are you going to do it?

**Hon. Mr. Peters:** It's interesting who they have up as the individual to ask this question, because the labour minister in 1994, when the Friedland formula was introduced, the Honourable Shirley Coppen said that "the WCB's financial woes, problems it has had, also need to be addressed, and adopting the Friedland formula for most benefits is the best thing to do at the present time."

Again, I say to the individuals who are here, remember who started this. It was the NDP. Those benefits were further eroded with Bill 99 by the Conservatives. But we improved benefits through the CPP in June 2005. We've improved benefits for clothing allowances, for travel allowances. We're working on getting the financial affairs in order. We realize there is more to be done in assisting injured workers in this province.

### CHILD CARE

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** My question is for the Minister of Children and Youth Services. Our government worked diligently to secure the five-year, \$1.9-billion early learning and child care agreement with the government of Canada. In my rural communities of Lambton-Kent-Middlesex, the agreement has meant that more families would receive the high-quality child care they need for their children.

The Ontario Coalition for Better Child Care has joined us at Queen's Park today. They fully support our efforts to save the five-year ELCC agreement that we signed with the government of Canada on behalf of families in this province.

Minister, I know that earlier this week you were in Ottawa, advocating on behalf of those families in Ontario who require high-quality child care and want to see the ELCC agreement honoured. The current government has claimed that this agreement doesn't meet the needs of rural areas, but I can tell you that it does in my community, and it certainly is needed in the farm communities. Minister, what progress have you made—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'd like to thank the member from Lambton-Kent-Middlesex, not just for her question today but for her total commitment to her constituents on this file, and I'm going to give you some examples just to illustrate where she has been.

In Lambton, 709 new spaces will be up and running by September of this year. Their three-year target was 675, so they're exceeding their three-year target. In Chatham-Kent, 677 of their three-year target of 690 will be up and running in September of this year. I am very proud and very pleased that our government has committed to sustaining every single one of those new spaces.

In Ottawa, on Monday, some of my provincial and territorial counterparts wanted to talk to me about how we have been able to make as much progress as we have made, so—



**The Speaker:** Thank you. There may be a supplementary.

**Mrs. Van Bommel:** I'm very proud of the tremendous work that my communities have done in such a short time to address the needs of the families in my riding. But I also know that Lambton and Chatham-Kent are unique in that they are one of three demonstration sites that will offer a full Best Start vision at an accelerated pace. This includes screening programs to identify the needs and supports, an 18-month well baby check-up and a half-day early learning program for two-and-a-half- to four-year-olds. But there is concern in my riding that the demonstration communities might be lost as a result of the cancellation of the ELCC agreement. Minister, will the demonstration communities become a reality?

**Hon. Mrs. Chambers:** The demonstration communities for the Best Start model are alive and well, and on track and will continue their progress. This speaks to a very broad range of services for parents and their young children: early identification and intervention programs, an 18-month well baby check-up, public health programs, parenting programs, nutrition programs at preschool, an early learning program. Hearing impairment is now being assessed at the average age of four months, down from two and a half years old. That's amazing progress.

As far as the demonstration sites are concerned, yes, Lambton-Kent is one of the areas where we have a demonstration community. I'm very pleased that 10 new hubs will be up and running in that community by September of this year, including a new francophone hub—wonderful progress.

## WASTE DIVERSION

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** My question is to the Minister of the Environment. It's an embarrassment and a disgrace that the current government turns a blind eye while we ship our garbage across the border to Michigan. A little over a year ago, January 2005, Gartner Lee consultants reported that the four Ontario municipalities of Durham, Peel, Toronto and York are expected to export 1.25 million tonnes of waste in 2005. Should the Michigan border close, and it's a very possible occurrence, our available capacity for waste disposal was estimated at the most to be 1.7 million tonnes—

*Interjection.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. Minister of Education, you've been warned.

**Ms. Scott:** Minister, this capacity would be used up within 28.5 weeks. It has been reported that the city of Toronto estimates they can only manage up to two days of storage capacity at their existing transfer stations.

*Interjection.*

**Ms. Scott:** To your cottage.

All this government has come forward with so far is a promise that they have an amazing plan. Ontarians deserve a solid answer, and they need one now. We need to know what is happening with our waste before the US

House of Representatives passes federal legislation allowing the state of Michigan to ban Canadian garbage.

**Hon. Laurel C. Broten (Minister of the Environment):** It certainly is a bit rich coming from colleagues on the other side of the House who were in government for more than 10 years and chose not to site any landfills in this province.

Let me tell you a little bit about what we have done in the past period of time since we've been government. We're the first government to fund the blue box program. We've set the standards for organics. I've mandated the WDO to work on household hazardous waste and electronics to build on the success of that blue box program. We're working to reform the EA process, and we'll have some more information with respect to that very soon.

We've also approved proposed expansions of Ottawa's Trail landfill and the municipal landfill in McDougall township. We've had an expansion of the private Lafleche landfill just south of Ottawa. Terms of reference for EAs of more than 10 more landfill projects, including municipal sites in Hamilton, Niagara, Sault Ste. Marie, Algonquin highlands and a private landfill near Niagara Falls have all been approved, and I'll have more to answer my—

**The Speaker:** Thank you. Supplementary?

**Ms. Scott:** Minister, now we've found that 160,000 tonnes of sludge will no longer be able to be shipped to Michigan. It's just a taste of the problem we will face when the border closes. Where's the sludge going to go, and what will happen if Toronto does not find a willing host? You've said there have been approvals. Can you say today that the EA process is going to be speeded up? Are the communities going to be forced to take this sludge with just days' notice? What will happen on August 1, when Toronto cannot find a place for their sludge? Will you commit that this sludge will not be sent to an unwilling host community?

**Hon. Ms. Broten:** I have said for a very long period of time that Toronto has a responsibility to find, site and manage its own waste. Toronto itself is resolved to stop sending its waste to Michigan by 2010. Miss Shelley Carroll, who has responsibility for this in the city, is negotiating at present for the capacity for the city's sludge not to be sent to Michigan. It's Toronto's responsibility to find a location and negotiate a private sector contract to deal with that sludge. I have every confidence, with the close work that they're doing with my ministry as we assist them and provide them with the tools they need to properly manage this waste, that they will meet their responsibilities and that they will locate a private sector location for that sludge.

1500

## CHILD PROTECTION

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Children and Youth Services. Today at Queen's Park, advocates spoke out for J., an 11-



year-old boy who was misdiagnosed and overmedicated while in the care of the Durham CAS. J.'s grandparents depleted their life savings trying to gain custody. Thankfully, they finally succeeded in getting J. home. They are now looking for accountability. They want to ensure that no other family has to go through the same ordeal.

Minister, why are you denying children and their families an independent avenue of appeal of CAS decisions?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I actually saw a press release that the member from Hamilton East issued today. She spoke about the fact that, yes, we are creating an independent process in the form of the Child and Family Services Review Board, which is under the jurisdiction of the Ontario Ombudsman, incidentally. But she was concerned that we have not yet established this process.

As we all know in this Legislature, it takes a little time, and the proclamation of this act is effective November of this year. It would have been earlier if the opposition parties had not held that bill up in the spring of this year. So it's interesting that she should be speaking to the fact that that has not yet been proclaimed, when in fact she could have contributed to much earlier proclamation of that bill had she been committed to this file.

**Ms. Horwath:** My question wasn't about your ineptitude to get a bill passed and to get it proclaimed; my question was about the fact that there is no minimal oversight even, at this point, for these families who are having problems with the CAS.

You have not given the Ombudsman oversight, which is what you should do, over the Child and Family Services Review Board. When you finally do proclaim Bill 210, the Ombudsman will only be allowed to determine—and you know this very well—whether or not the board followed its own rules. You can't dig into the substantive issues that families bring forward. You cannot dig into the complaints and the systemic issues that are happening within the CAS. Minister, why are you blocking families from an independent avenue of appeal by refusing to pass my bill, which would allow the Ombudsman review over CAS decisions?

**Hon. Mrs. Chambers:** If there is anyone who is inept here, it's not our government, because our government would have had that bill passed one month earlier had it not been for the games that were being played in this Legislature.

Let me speak to the particular situation that I think gave rise to the member's question. To give you an example of how sincere we are and how much we are committed to the protection of children in this province, I can tell you that I am working with that particular case—and I want to thank the member from Durham for bringing that to my attention; he was the first person to do that—and I have actually met with people involved, including that grandparent. I have launched an investigation into that situation, and we're going to make sure

that other kids don't suffer the same kinds of tragic circumstances that that young man suffered.

## COMMUNITY SAFETY

**Mr. Mario G. Racco (Thornhill):** My question is for the Minister of Community Safety and Correctional Services. Marijuana remains the most widely used illicit drug in Canada, and the growing and production of marijuana in Ontario is more common than we would like.

These operations are often run out of private residences and buildings in family communities, putting residents, especially children, at serious risk. Children live in grow houses, where they are exposed to the fire and health risks associated with drug operations, and indoor marijuana grow operations are posing a rising threat to community safety by bringing organized crime outfits into residential areas where these operations take place. Grow operations have cost the province approximately \$263 million over the last three years.

Minister, what is the government of Ontario doing to fight marijuana grow-ops and to ensure that Ontario communities stay safe?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member from Thornhill for the question. Illegal grow-ops are prosecuted under the Criminal Code, which is a federal statute. Having said that, there is an aspect of community safety that we in Ontario have the responsibility to address.

On December 15, 2005, we actually got royal assent for the Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2004. That particular statute amends the Building Code and the Municipal Act and provides that if a grow-op has been identified by the police, building officials in the departments must go in and ascertain whether or not it is fit for human habitation. They can actually order remedial action, and it cannot be occupied until building officials approve that situation.

There are other amendments that allow for assets of crime to be forfeited to the government under the Attorney General's act, and that is—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary?

**Mr. Racco:** I'm glad that the prevention of marijuana grow-ops is a priority of the McGuinty government and that we are actively working to ensure the well-being of Ontarians. It is also comforting to know that the government is getting tough on crime by hiring 1,000 new officers in partnership with the municipalities.

Minister, in my riding of Thornhill and in Concord, community safety is extremely important. Could you elaborate on what specifically the government is doing in my riding of Thornhill and in Concord to combat crime in general and marijuana grow-ops in particular?

**Hon. Mr. Kwinter:** All of the benefits that accrue under Bill 128 are of course available to the residents of York region, and to Thornhill in particular. We have a situation where of 1,000 police officers, 149 of them



have been allocated to deal with this type of crime, and of that number, 45 are in York region. So to the member who is wanting to know what is happening in his region, there are 45 police officers who will be available to address the problem of marijuana grow-ops.

We've also provided \$230,000 to the police college, where we have erected a mock illegal drug lab, not only for marijuana-grow-ops but for crystal meth. That allows new recruits who are coming through the police college to know how to dismantle them, how to identify them and how to make sure the community is safe. It's also available to seasoned officers, who can do the same thing. This is a great initiative that will help us deal with what is a scourge across Ontario.

#### ONTARIO IMMIGRANT INVESTOR CORP.

**Mr. Frank Klees (Oak Ridges):** To the Minister of Economic Development and Trade: During previous questioning on the issue of the \$328-million scam through which your government is collecting money from immigrants—and you have certain responsibilities for that money—you didn't deny at all that you've done nothing with it. My question to you would be this: In light of the fact that you admit that the money is there and you admit that you haven't done anything with it, when did you become aware of the fact that this money was actually under your responsibility and that nothing was happening with that money, that no one was benefiting from that money? When did you become aware of that?

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** This is indeed a little rich coming from that party. This program existed from 1999. They were the government from 1999 to 2003. You sat there and you did nothing. Furthermore, you didn't even report to the Legislature any documents regarding the accounts for the Ontario Immigrant Investor Corp.

We will table those reports to make everyone fully aware of where all these monies are going. But let me reassure the member and the members of this House that this government is going to take action with respect to introducing programs and initiatives for economic development purposes. Those plans will be coming forward shortly.

1510

**Mr. Klees:** At the same time as your Premier is running around the country crying poor and claiming that Ontario isn't getting its fair share, here was almost half a billion dollars that was transferred to this province. You've been the government, I might remind you now, for almost three years—three years. It's rather rich on your part to continue to blame your inaction on anything the previous government may or may not have done. People elected you; you're the government. So my question to you is very, very simple: You haven't done anything with this money. You've collected it. You have responsibility for this money. If you aren't going to do

anything with it, will you transfer responsibility for that fund to the minister responsible for citizenship and immigration so that he can at least do what they do in Manitoba, and use those funds for settlement purposes for immigrants to this province?

**Hon. Mr. Cordiano:** It is indeed a little rich to hear from a party who sat on a fund for four years and did nothing. I remind you, from 1999 to 2003 you were the government. You had this fund in place; you did absolutely nothing. We are taking action. We are going to introduce programs that will see economic development initiatives move forward. That's what these funds were intended for. Let me remind the member, the capital has been invested. There is interest that has accumulated. The capital has now created a revenue stream.

**Mr. Klees:** How much is that?

**Hon. Mr. Cordiano:** I will table these reports very shortly in the House so everyone knows what those monies look like. This money has been set aside. It is capital that's been allocated. It's been invested. There is an interest revenue stream. We will invest that interest revenue stream to further enhance economic development opportunities in the province of Ontario. That's exactly what these funds were intended for and that's what—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** A question to the Minister of Education: Across Toronto, parents and students are worried about the impending cuts to education that could see 700 educational assistants fired and 62 schools closed. You have admitted that a funding gap exists. You have admitted that school boards don't have enough money to provide Ontario students with the programs they're mandated to provide.

Recognizing the problem is a good first step, but parents across Toronto want to know this: Are you going to act to fix the funding shortfall or are you going to close schools and fire desperately needed educational assistants?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I so much appreciate this question because it gives me another opportunity, as I've had a few times today, to speak about the finances of the Toronto District School Board.

Let me start by saying that I hope even this opposition critic would acknowledge an 11% increase in funding for the Toronto school board, and over the course of that same time the Toronto school board has seen a decline of over 6.5% in their student body. So with about 10,000 fewer students, this same board has seen a massive increase in funding. The issues at the Toronto school board have nothing to do with funding, because this Ontario government has come to the table in droves when it comes to the funding of our students in our school system, in what I believe is a very sincere and required



partnership between this school board and this government to finally settle and put to rest some significant issues that are facing the Toronto school board.

**Mr. Marchese:** Toronto schools have one source of revenue, and that's your government. It's the only source. You give them a fraction of what they need to pay teachers, a fraction of what they need to heat the schools, a fraction of what they need to provide busing, and then you express amazement when they make the cuts. When Mike Harris and Ernie Eves tried to do this, you and Kennedy and others denounced them, as I did. Now you're doing the same.

Are you going to act to fix the funding shortfall or are you going to close schools and fire desperately needed educational assistants? What are you going to do?

**Hon. Ms. Papatello:** I find it quite interesting that at about this time of year, year after year, we see the same old story here in the city of Toronto with our school board. What I have said directly in two separate meetings with the chair of this board—and as well, at a meeting upcoming this Monday with the audit committee of this Toronto school board, I will say—actually, one of the trustees says this government has dumped buckets of money into the Toronto District School Board. That's what John Campbell says, as a trustee. Now, it's not buckets, but it is about \$240 million at the same time as we have 10,000 fewer students.

What I think is important is that it's about time we had a real partnership, and that is what I'm embarking on. We will solve the challenges with this board, and the students in the city of Toronto are going to benefit.

## ARTS EDUCATION

**Mrs. Carol Mitchell (Huron–Bruce):** My question is for the Minister of Culture. Minister, we are coming up to the end of the school year, and you know, being a parent, that this is the time of year when end-of-year plays and recitals can be enjoyed in schools across the province. It is at this time, when many students are preparing to graduate, that we are reminded that students' artistic and creative talents need to be nurtured. We need to provide the students of Ontario with the kind of education that engages them, inspires them and teaches them to think for themselves. With this in mind, what is the government doing to encourage and support arts in our schools so that these activities and opportunities continue to be offered to the students of Ontario?

**Hon. Caroline Di Cocco (Minister of Culture):** Thank you so much for your question. After many years of erosion in arts and music in education, this government, under Premier Dalton McGuinty's leadership, has been rebuilding. Empirical evidence shows that young people who participate in arts and music not only have higher math and science scores but are also better problem solvers. Arts and music education develops creative and innovative thinking, which is exactly what is needed to succeed in this complex and rapidly changing world. That's why Premier McGuinty, the Minister of Education

and I launched a \$4-million program to promote arts education in our communities and schools with the arts education partnership initiative. We understand there is much more to do after so many years of neglect, but I know we're on the right track, and I'm proud of how much we are doing to bring arts and music education to schools in our communities.

**Mrs. Mitchell:** Minister, we know that arts education is best delivered in a hands-on fashion and students who have the opportunity to use paint brushes and musical instruments and put on performances are served very well by their experiences. Of the programs that the Minister of Culture mentioned, how do they excite the imaginations of our Ontario students?

**Hon. Ms. Di Cocco:** I'll refer that to the Minister of Education.

**Hon. Sandra Papatello (Minister of Education, minister responsible for women's issues):** I think one of the most important things that we have done in this whole area of adding arts to education is our four-year commitment for a \$146-million investment that will, over these four years, provide 2,000 specialist teachers in our elementary schools for arts, music, phys. ed., for those supports that our children need.

In speaking at some of our elementary schools, to see this wonderful impact of arts in the curriculum—actually using arts to deliver a science curriculum, for example, affords our children a tremendous benefit.

But that's not all. We are making some significant investments in our arts programs. One of those is Learning Through the Arts, which is a \$6-million investment over five years. That program is administered by the Royal Conservatory of Music, which trains teachers to deliver core curriculum using this interactive arts-based approach. I look forward to seeing the results when we develop young people with such a background in the arts.

1520

## FISH AND WILDLIFE PROGRAM FUNDING

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a question for the Acting Premier. Yesterday, the Ontario Federation of Anglers and Hunters advised that your government is slashing by 50% the funding for the community fisheries and wildlife involvement program. For 20 years, this program has been a partner with local community groups in improving fish and wildlife habitat, conducting surveys and education programs. Some of the programs, to give you an example: Severn Sound "Take a Little Lead Out!" education and exchange program, Barrie Bassmasters creating fish habitat, Centreville Creek environmental stewardship program, Rice Lake walleye recruitment study.

Acting Premier, this program involves 600 projects and 35,000 volunteers, and you're going to save \$500,000 by slashing half of their budget. It seems to me it's penny-wise and pound foolish—another very short-



sighted decision. Remember back to the Frost Centre just two years ago. What I'm asking is that you ensure that funding continues for the community fisheries and wild-life involvement programs.

**Hon. Gerry Phillips (Minister of Government Services):** To answer on behalf of the Minister of Natural Resources, I'd just say to the member that I think the minister has established a very solid working relationship between ourselves and our anglers and hunters. The minister, I believe, is meeting with this group tomorrow. I think the appropriate thing is to allow him, as he meets with them—which is an example, I might say, of the relationship. As we speak, he is now preparing to meet with them. He's heading toward that meeting, and this is just the sort of thing that he would like to sit down and talk with them on.

I just want to compliment our minister. I think he has done a fabulous job of establishing, as I say, a very terrific working relationship with our fine anglers and hunters. Tomorrow, I know they will have a productive meeting as, once again, he keeps up that dialogue with our partners.

## PETITIONS

### PASSPORT OFFICE

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** I have a petition which I want to present to the Legislature, which reads as follows:

“Whereas, at present, residents of Barrie and surrounding area must travel to Toronto to receive a passport; and

“Whereas the only service available to obtain information or make application for a passport in the city of Barrie is through the post office or through the local MP office; and

“Whereas a passport to travel is now becoming a way of life for Canadians and there is a great need for a full-service passport office in the city of Barrie; and

“Whereas, due to the growth in population and demand and necessity for a passport to travel, a full-service passport office in the city of Barrie is essential; and

“Whereas, due to the current security enforcement in place, a full-service passport office in the city of Barrie is essential; and

“Whereas a full-service passport office would be beneficial not only to residents of Simcoe county but also Parry Sound–Muskoka region;

“We, the undersigned, petition the federal government to give consideration for a full-service passport office in the city of Barrie.”

I support the petition and affix my signature.

## TRADE DEVELOPMENT

**Mr. Jeff Leal (Peterborough):** I have a petition today from some hard-working men and women who are involved in Ontario's auto industry regarding fair auto trade with South Korea.

“Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

“Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

“Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products, such as motor vehicles, and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada, if Korea proposes to continue to sell vehicles in Canada.”

I agree with this petition and will affix my name to it.

## LONG-TERM CARE

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I have here more petitions from Columbia Forest Long-Term Care Centre and Pinehaven Nursing Home.

“To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;



"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I agree with this petition and I will be affixing my signature.

#### TRADE DEVELOPMENT

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** This petition is to the Ontario Legislative Assembly:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

I agree with the petition. I also put my signature on it and ask Nolan to take it.

#### TEACHERS' LABOUR DISPUTE

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a petition from students and parents in the Parry Sound area.

"To the Legislative Assembly of Ontario:

"Whereas negotiations between the occasional elementary school teachers and the Near North District School Board are resulting in job action (strike) by the said teachers; and

"Whereas we believe it has become necessary for the McGuinty government to intervene to ensure our children's return to school;

"We, the undersigned, are requesting the McGuinty government to introduce and pass legislation requiring all teachers province-wide to become an essential service so that our children will no longer be used as pawns in negotiations."

I'm pleased to say the strike's over, but I have hundreds of petitions here that I would like get on the record.

#### VISITORS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** On a brief point of order, Mr. Speaker: I want to introduce city of Toronto Councillor Howard Moscoe, who is the chairman of the Toronto Transit Commission. He is in the Legislature today, so I want to welcome him here on behalf of the Legislative Assembly.

**The Acting Speaker (Mr. Ted Arnott):** That's not a point of order, but we do welcome him. You do have a petition?

**Mr. Berardinetti:** It's not related to Mr. Moscoe.  
1530

#### CHILD CARE

**Mr. Berardinetti:** This petition is addressed to the Legislative Assembly of Ontario:

"Whereas the McGuinty government in the last budget committed itself to providing the best possible benefits to single-parent families in Ontario by increasing single-parent family benefits by 15.7% over the 2003-04 levels;

"Whereas the expenditure on at-risk youth and families will be increased to a total of \$10.3 billion;

"Whereas there still remains no coherent universal child care system in Ontario for working families;

"Whereas Ontario needs to move toward a system that is better planned, coordinated and accountable for all;

"We, the undersigned, therefore applaud the McGuinty government for its initiatives at making the lives of Ontario's families better and ask they continue to make it the best possible for all families in Ontario."

I agree with this petition and affix my signature to it, and give to page Evan, who is here with me today.

#### GASOLINE PRICES

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the price of gas is reaching historic price levels; and

"Whereas provincial and federal governments have done nothing to protect consumers from high gas prices; and

"Whereas provincial tax on gas is 14 cents per litre and the federal tax is 10 cents per litre, plus 8% GST; and



"Whereas these taxes have a detrimental impact on the economy and are unfair to commuters who rely on vehicles to travel to work; and

"Whereas the province has the power to set the price of gas and has taken responsibility for energy prices in other areas, such as hydro and natural gas; and

"Whereas we call on the province to remove the 14.7-cents-per-litre gas tax and the federal government to eliminate the 10-cent gas tax, plus 8% GST, which amounts to 30% or more;

"We, the undersigned, petition the Legislative Assembly of Ontario and urge the Premier to take action and to also persuade the federal government to remove its gas taxes."

I support the petition and affix my signature.

### RENT REGULATION

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition which has been prepared by a constituent of mine named Sonny Sansone. He has asked me to present it to the Legislature. It's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the McGuinty government is concerned about tenants in Ontario and wants to have a fair relationship between landlords and tenants; and

"Whereas the cost of living continues to rise, and income of many people, especially pensioners and low-income workers, remains comparatively low; and

"Whereas landlords currently have more rights than tenants, giving them the ability to raise rent fees as they wish, causing tenants to fear rent increases they can't afford;

"We, therefore, the undersigned, petition to cap rents in Ontario, giving more rights to tenants; and

"Further, we, the undersigned, petition the Legislative Assembly to pass into law the Residential Tenancies Act, Bill 109, as soon as possible."

I agree with this petition, affix my signature to it, and give it to page Madeleine, who's with me here today.

### SPRING BEAR HUNT

**Mr. Ted Arnott (Waterloo-Wellington):** I have a petition that was sent to me by members of the Greenwood Rod and Gun Club, and it reads as follows:

"Whereas the Ministry of Natural Resources' own data shows a clear and undeniable connection between the termination of the spring bear hunt and the increase in nuisance bears; and

"Whereas there has been an increase of almost 500% in the number of calls to the Ministry of Natural Resources about nuisance bears but no change in calls in Manitoba, where the spring hunt continues; and

"Whereas at least five people have been attacked by bears in 2005, and since 1978, bears have killed seven people in Ontario, six in provincial parks where hunting is not allowed, and all fatalities have occurred where there is little or no hunting pressure; and

"Whereas adult male bears are cannibals and highly aggressive; there are thousands more adult male bears in the population since the hunt was terminated and thousands more bear cubs are being orphaned or killed; unprecedented numbers of nuisance bears are being trapped, relocated or killed, but the problems persist; and

"Whereas the increase of nuisance bears since the spring bear hunt was cancelled has become a serious threat to public safety, and increasing interaction with humans from higher bear densities is likely to result in more bear attacks on humans; and

"Whereas, during a debate in the Legislative Assembly of Ontario on November 17, 2005, members of all three official parties supported a return of the spring bear hunt;

"Therefore, be it resolved that we petition the government of Ontario and the Ministry of Natural Resources:

"In the interests of public safety and scientific wildlife management, the government should immediately return a spring bear hunt to Ontario."

I have affixed my signature as well.

### NON-PROFIT HOUSING

**Ms. Kathleen O. Wynne (Don Valley West):** I have a petition from a group of senior citizens in my riding that I'm presenting today.

"To the Legislative Assembly of Ontario:

"Whereas every citizen of Ontario should have a decent home; and

"Whereas thousands of families and individuals are denied this basic right because Toronto Community Housing buildings were downgraded to the city of Toronto without the money necessary to bring them to a state of good repair; and

"Whereas poor living conditions have a damaging impact on the health and sense of security of residents and neighbourhoods; and

"Whereas Toronto Community Housing has some of the oldest publicly funded housing in the country; and

"Whereas investment in housing pays off—in better buildings and in stronger, safer communities;

"We, the undersigned, petition the Legislative Assembly of Ontario to accept its responsibility and invest \$224 million to ensure that all residents of Toronto Community Housing have a decent home."

I present that to the table. Page Amanda will take it.

### SPEECH AND LANGUAGE SERVICES

**Mr. Ernie Hardeman (Oxford):** I have a petition here from a great number of constituents from my riding and surrounding ridings, north, south, east and west.

"To the Legislative Assembly of Ontario:

"Whereas over one million Ontarians of all ages suffer from communication disorders relating to speech, language and/or hearing; and

"Whereas there is a growing need for awareness of the profound developmental, economic and social conse-



quences that communication disorders have on people and their families; and

"Whereas persons with communication problems require access to the professional services of audiologists and speech-language pathologists who provide treatments to improve and enhance quality of life; and

"Whereas effective treatment of communication disorders benefits all of society by allowing otherwise disadvantaged persons to achieve their academic and vocational potentials; and

"Whereas investments in treatments for communication disorders pay economic dividends in reduced reliance on other social services,

"We, the undersigned, in conjunction with the Ontario Association of Speech-Language Pathologists and Audiologists, call on the Legislative Assembly of Ontario to proclaim the month of May as Better Speech, Language and Hearing Month."

I affix my signature, as I agree with the petition.

#### CHILD CARE

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have another petition here, again presented by Mr. Sonny Sansone. It's addressed to the Legislative Assembly of Ontario and reads as follows:

"Whereas the McGuinty government in the last budget committed itself to providing the best possible benefits to single-parent families in Ontario by increasing single-parent family benefits by 15.7% over the 2003-04 levels;

"Whereas the expenditure on at-risk youth and families will be increased to a total of \$10.3 billion;

"Whereas there still remains no coherent universal child care system in Ontario for working families;

"Whereas Ontario needs to move toward a system that is better planned, coordinated and accountable for all;

"We, the undersigned, therefore applaud the McGuinty government for its initiatives at making the lives of Ontario's families better and ask that they continue to make it the best possible for all families in Ontario."

I agree with this petition, affix my signature to it and give a copy to Tyler, the page who's with me today.

#### BUSINESS OF THE HOUSE

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I rise on a point of order pursuant to standing order 55. I don't wish to tax you in the chair, so please allow me to read it because I'd like to rise to give the Legislature the business of the House for next week.

On Monday, June 5, in the afternoon, we'll have an opposition day standing in the name of Mr. Tory; in the evening we'll have second reading of Bill 107, the Human Rights Code Amendment Act, 2006.

On Tuesday, June 6, in the afternoon, third reading of Bill 53, the Stronger City of Toronto for a Stronger Ontario Act; in the evening, second reading of Bill 117, the Ontario home electricity relief act.

On Wednesday, June 7, in the afternoon, third reading of Bill 53, the Stronger City of Toronto for a Stronger Ontario Act.

On Thursday, June 8, in the afternoon, third reading of Bill 56, the Emergency Management Statute Law Amendment Act.

#### ORDERS OF THE DAY

##### EDUCATION STATUTE LAW AMENDMENT ACT (STUDENT PERFORMANCE), 2006 LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION (RENDEMENT DES ÉLÈVES)

Resuming the debate adjourned on May 29, 2006, on the motion for third reading of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / *Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation.*

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Frank Klees (Oak Ridges):** I'm pleased to rise in discussion of Bill 78. At the outset, I want to make it very clear that we are not in support of this bill. I believe that notwithstanding the very title of the bill, Student Performance, and a great deal of rhetoric that has come with this bill that supposedly deals with improving education quality and standards and creating a better environment for education within this province, essentially what Bill 78 does is to undermine the very core of public education in this province.

1540

I think Bill 78 can probably best be compared to a Trojan horse, because while externally it seems quite harmless—in fact, again, based on the rhetoric that we may listen to, the framing of some of these provisions of this bill, to those who haven't had the opportunity to look deeper into the implications of the various statutes, looks very harmless and, in some respects, perhaps even positive. But overall, I believe that as we investigate, as we take very careful consideration of the provisions of this bill—and I want to, over the next few minutes, take us through that discussion in the interest of ensuring that the public understand, not only members of the Legislature here.

I know that there's probably not very much that I can do to change the minds of members of the government. I suggest that probably very few have even had the opportunity to look at this legislation and consider for themselves the implications of the various aspects of this bill before us. As is typical in this place, they will, no



doubt, each and every one of them stand in their place when it comes to the final vote, and this will become law.

We have had this bill now before us for second reading, and we raised a number of concerns during second reading debate of this bill. The minister then, Mr. Gerard Kennedy, would not hear from us with regard to those concerns, nor would he listen to stakeholders who expressed serious concern. The bill was then moved on to committee. The purpose of the committee hearings is that we have an opportunity for the public, for stakeholders to come forward and present, in a very reasoned way, their concerns, and also to make proposed amendments to the bill. It was disappointing, as I participated in those committee hearings and heard from various representatives of the public and stakeholders in the field of education, how one after the other would make what I consider to be very strong cases for the government to reconsider some of the initiatives proposed in this bill yet when it came to accepting amendments that would make substantive changes to the bill, once again the government said, "No, we're not interested. Our minds are made up."

I had hopes that with the appointment of a new Minister of Education, we may well have had a different attitude towards this issue, realizing that the former minister had boxed himself in to some of the stakeholders with whom he has had dialogue over the last number of months and years. Perhaps the new minister could have brought a new perspective and truly demonstrated that she would listen and do what is right for public education. But sadly enough, that didn't happen either. The new Minister of Education has folded as well on this issue.

There are a number of points that I want to address over the hour of debate that I have. I want to start off with what I consider to be the most important issue that's being addressed by this bill and where I believe the biggest damage will be done to public education in this province: the changes proposed by this legislation to the college of teachers.

The general public probably does not have a great deal of understanding of what the purpose of the college of teachers is. I also don't think that there are, quite frankly, a lot of teachers who fully understand the function and responsibilities of the college of teachers. The reason I say that is because I have had many calls from teachers who say that they really don't fully comprehend this debate about the college of teachers. The chair of the college of teachers told us during committee hearings that she believes that many teachers don't fully understand the role of the college of teachers, which is one of the reasons she feels it is important to have a full-time chair of the college. During questioning of the chair as to why she and members of the council feel she should be full-time, she effectively said, "To give me more opportunity to travel and get out to see teachers and to explain to them more fulsomely what the college does." I'm not sure that should be the role of the chair of the college of teachers, to begin with. It shows that that is, I believe, a movement in the wrong direction.

Many people watching these proceedings will say, "The member for Oak Ridges is a member of the official opposition and so we're going to discount some of the things he says because clearly his role is to oppose government legislation." I want to make it very clear that there have been many times in this House when I have supported initiatives coming forward from the government. I happen to believe that in order for us to be taken seriously and to do our role, to carry it out responsibly, we have a responsibility to look at each piece of legislation, applaud the government, encourage the government for their positive steps, for their initiative in taking the appropriate measures in legislation, and I don't hesitate to do that. But I also believe that it's our responsibility to challenge the government and to provide information to the public to ensure that they understand why we are opposing certain elements of legislation before this House.

That's why I want to start this discussion about the college of teachers not based on what I, as a member of the official opposition or as the education critic for the official opposition, believe, but I want to share with members of the public and with those members of the Legislature who have not had an opportunity to pursue this discussion in great detail the views of three former Ministers of Education. These are ministers, not all from the Conservative Party; in fact, one of them is Dave Cooke, a former NDP Minister of Education. Another is Bette Stephenson, who was a Minister of Education during the Bill Davis years in this province. The third is Janet Ecker, who also was a Minister of Education. They have submitted, in writing, their concerns relating to the proposed changes. I think it's appropriate—in fact, I think it's my responsibility—to read this into the record so that we have a very comprehensive understanding of what these former Ministers of Education are saying about this proposed legislation. For the benefit of Hansard, I will start my quote now.

"Every Minister of Education in Ontario has one overriding responsibility: to act in the best interest of the students at the heart of the education system. That concern unites all who have served in the post, no matter what their political stripe.

"Ontario's new Minister of Education, Sandra Pupatello, is no different.

"However, she has inherited a piece of legislation from her predecessor, Gerard Kennedy, who resigned last month to run for the Liberal leadership, which represents a dangerous departure from the long tradition of ministers acting in the public interest.

**1550**

"Bill 78 contains changes to the Ontario College of Teachers, the regulatory body for the teaching profession, that will see control of the college handed over to Ontario's teachers' unions—against the advice of the Royal Commission on Learning, former registrars of the college and former education ministers from all three parties.



"The Royal Commission on Learning, created by the NDP government, recommended the college. It was the third time such a recommendation had been made, dating back to the 1950s, and it was supported by all three parties in the Legislature.

"The college was established by the Conservative government as the body that decides who can teach in the province.

"It is responsible for the certification and discipline of teachers, as well as for setting standards for the profession. The college also accredits the faculties of education at Ontario's universities.

"The college was modelled on the same principles as other professional regulatory bodies.

"Just as doctors, nurses and lawyers are subject to independent regulation, the public has a right to expect the college to be free to do its job. It ensures that teachers are prepared to teach, that they preserve the trust we place in them and that they act to keep students safe.

"If Bill 78 passes as currently drafted, the college will not be able to fulfill the crucial role of protecting the public interest because the unions will have control of its governing body.

"When the college was created in 1996, representatives of the broad profession—teachers, principals, superintendents, etc.—formed the majority on the college council, as it was intended to be a self-regulating body.

"But Bill 78 proposes to give the majority of positions on the council to the teachers' unions, calling into question the very concept of self-regulation.

"The royal commission was clear about the importance of not giving any one group, such as the teachers' unions, control over the college. The report said, '(I)t must be clear that the college of teachers will be completely separate from and independent of the teachers' federations, whose functions, although occasionally overlapping, are in fact quite distinct.'

"Bill 78's changes will have several damaging practical implications.

"For example, the college is responsible for disciplinary hearings for teachers accused by students or parents of abuse or wrongdoing.

"Under this legislation, a majority of the judges in a disciplinary hearing will be from teachers' unions. But the union's job is to defend teachers. They can't, at the same time, sit in judgment of one of their members. It's a basic conflict of interest and it's wrong.

"Bill 78 proposes an oversight 'public interest' committee to compensate for this conflict of interest. But the fact the government has included it is a recognition that there is a significant risk in its approach.

"We are united in our belief that the risk to our children's education is real, and is not worth taking."

I'm going to close the quotes there for just a minute. I want to point out to members of this Legislature, members of the government and members of the public that these are three former education ministers, crossing political lines, who are saying, "We are united in our belief

that the risk to our children's education is real, and is not worth taking."

It has been our hope that the new minister and the Premier, who takes unto himself the cloak of education Premier, would listen to this warning. We were hoping as well that the teachers' unions would listen very carefully to this warning, because notwithstanding the very good work that teachers' unions do in this province, this is an unnecessary step for them to take. It begs the question, why would the teachers' unions risk this kind of criticism? Why would they risk interfering with the independence of an important body such as the college of teachers and cast a pall over that body that has the responsibility to preside over their profession? Would it not have made more sense, if we wanted to strengthen the profession, if there was an interest on the part of the teachers' unions in this province to strengthen the professionalism of their profession, that they would do everything possible to ensure that this regulatory body, this college of teachers, would in fact be beyond reproach, so that no one could accuse this important regulatory body of being in a conflict of interest?

So as we debate, I'm still hopeful that perhaps somehow the message will get through to this minister and to this government that this is not about teacher-union-bashing; this is not about a polarization. This is about doing what is right for the profession. Perhaps in the hours we have left, there will be some recognition that a last-minute change should be made that will draw us back from the brink on this.

I'm going to continue to read this, as I said, for the benefit of having the thoughts of these former Ministers of Education on the record:

"Last week, two former registrars of the college made a presentation to the legislative committee holding hearings on Bill 78.

"They said of the proposed changes, 'The cost to the government and to the people of Ontario is an abandonment of the public interest ... to change the law to give the teacher unions control of the professional body is flat out wrong.'

"This is not an issue of being pro- or anti-union. The issue is that the college exists to protect students, while the Ontario Teachers' Federation is, by law, the teachers' advocates.

"The government's claim that the college is independent of union control through their 'conflict of interest' prohibition on council members is clearly undermined by the OTF's own statement of their view of the job.

"On the OTF website, the federation states it will be the 'co-ordinating agent' for teachers and that it will meet regularly with its representatives on the council to 'discuss directions' for the college.

"The Ontario government still has a chance to fix what is wrong with this bill, while preserving some of the ongoing education reforms in other areas.

"In an era in which transparency, openness and integrity are the universal demands by voters of their governments, a crippling of the independence of the body that



helps guarantee the safety and quality of schooling for our children is simply unacceptable.”

That is the submission, as I indicated earlier, from Bette Stephenson, Dave Cooke, and Janet Ecker, all former Ministers of Education.

1600

I want to point out that during a TVO presentation, a former Liberal Minister of Education expressed his very strong concerns as well over this direction. I appeal to the Minister of Education, in her role as having responsibility for preserving and strengthening the public education system, that she would give a sober second thought to the direction she's taking with regard to this issue.

I want to refer as well to a presentation made to the standing committee by Mr. Joe Atkinson. The reason I want to draw this into this discussion is that, again, the general public usually don't have the time or the inclination to either listen in or watch the committee hearings, and many times don't have the access to actually read the verbatim report from those standing committees.

I want again to address this issue of the teachers' unions from the perspective of an individual who was a former registrar of the college and, in his own words, was a member of the teachers' federation, was himself a teacher. He has a very interesting perspective on this issue as well. I'm going to refer now to his comments during that committee hearing.

“Put simply, Bill 78 will pass control of the Ontario College of Teachers to the teacher unions. The bill threatens the college's mandate to protect Ontario's students, and it makes a mockery of the concept of self-regulation. In case you get the wrong idea, neither I nor Margaret Wilson,” who is also a former registrar, “are anti-union; quite the contrary. Together, we spent more than 40 years in combined service to teachers' unions in elected and staff positions. We realize that unions advocate on behalf of their members. It's their job and they do it very well. However, the issue at hand is not one of teacher advocacy but of public interest. To change the law to give the teacher unions control of the professional body is flat-out wrong.”

I close quotes there and simply make the point again that we have this recurring theme, and we heard the recurring theme throughout the committee hearings, that this step by the government to compromise the college of teachers is fundamentally wrong. It is not in the public interest. It does not serve the teaching profession. It does not serve the public. It does not serve public education. So we appeal to the government to reconsider taking what we believe and what many are convinced is a detrimental step in public education.

I'm going to close off my remarks on the issue of the college of teachers with one final reference. This was brought to my attention by my colleague from Muskoka, Mr. Norm Miller, who asked me to read into the record comments by Mr. Ken Black, who is a former Liberal MPP in Muskoka. He is a former teacher. He is a former principal. I quote his remarks as taken from the local newspaper:

“Any time three former Ontario Ministers of Education representing two different political parties join forces to offer comment on a piece of pending legislation, the rest of us would do well to pay attention.

“An opinion piece in the Toronto Star last week authored by Bette Stephenson (who served in that portfolio from 1978 to 1985 in the governments of Bill Davis and Frank Miller), David Cooke (who was Minister of Education in the Bob Rae NDP government in 1993 to 1995) and Janet Ecker (who held the same portfolio in the Mike Harris Conservative government in 1999 to 2002) deserves thoughtful consideration from anyone who cares about young people and their schooling.”

He goes on to make the point that was made in the letter from the three former cabinet ministers. He says this:

“That change, while it might seem relatively harmless at first glance, will have the effect of turning over control of teachers' disciplinary hearings to the same unions that have a clear mandate to defend teachers. It is tantamount to having a lawyer serve as defence counsel for the accused, and then take a seat on the jury that decides on guilt or innocence.

“The potential danger of that approach was clearly recognized by the royal commission which warned against giving any one group control of the college.”

He goes on to say:

“I couldn't agree more and I say that as someone who has worked as a teacher and benefited from membership in the federation, and as someone who also worked on the management side as a principal and a superintendent.

“The teacher unions have been a powerful force for good in Ontario education. Over many years, they have not only afforded support and negotiated fair salaries for their members, but have at the same time sponsored and provided a wide range of quality professional development and training programs.

“That said, I am a firm believer in the importance of maintaining a professional college of teachers that is independent and autonomous. The primary purpose of Ontario's college of teachers is to protect the public interest. The primary purpose of the teacher unions is to protect and serve its members. There will be times when those two mandates will be in conflict. That is why giving teacher unions undue influence over the college is bad public policy.”

Those are comments from a former Liberal MPP, someone whom I'm certain every member of this House respects. Because of the distance now between where he is today and where he was, he has perhaps a more objective view of this issue. We should listen to him and his advice. The government should listen to him and his advice when he states that Bill 78, in its current drafting relating to the college of teachers, is, as he states, bad public policy.

I want to spend a couple of minutes talking about the disciplinary responsibilities of the college of teachers. I'm sure that many members of this Legislature from time to time hear from parents about concerns they have



about what's taking place in the classroom, that they have concerns with a teacher who they feel is not doing their job adequately. There may be an issue of abuse, perceived abuse. There may be some issues that the parent feels needs to be brought to the attention of someone in higher authority. I often hear from parents who have gone the distance, have contacted perhaps the principal and don't feel that they're being heard.

1610

What is it that parents can do to file a complaint, to lodge concern and be assured that their issue is going to be dealt with in a serious and forthright manner? Well, that is one of the roles of the college of teachers.

I'm not one to say that the current structure of the college of teachers is perfect either. In fact, I have some concerns, particularly when it comes to the disciplinary panels and the disciplinary hearings that have taken place. I question some of those decisions. Even in its current form, I'm not convinced there is the objectivity that should be there when it comes to disciplinary panel hearings.

How can it be that teachers who have been accused and convicted, found to be guilty of child pornography or viewing child pornography, can still have their certification to teach in Ontario? How can that be? How can it be that while, on the one hand, we try to do everything we can through our justice system to shut down child abuse, yet through our professional body that oversees the disciplinary aspects of the teaching profession, we would ever allow anyone, once found guilty of something as offensive as that, to be reinstated into a classroom in this province? I think it's fundamentally wrong, and I don't believe that in that regard we are being well served even under the current structure.

People will say, "Well, you can't hold someone responsible forever and there must be a time for forgiveness." I'm the first to agree with that. Forgive, but in these instances, in the interest of the safety of our children, we should never forget, and we should ensure that those individuals never come into contact with a classroom setting where there could be a potential abuse.

So we have a great distance to go. I'm spending a great deal of time on this issue because I believe it is so fundamentally important. I'm convinced that this government, selling out on this issue, is making a major mistake. It's one that will have potentially long-term repercussions not only to public education as a whole, but I believe there can be significant repercussions to students within our education system.

Surely it's the responsibility of legislators to protect our children, to ensure not just that they've got textbooks in the classrooms, but that they have the best-qualified teachers teaching them in a safe environment, and the last people who should be present in those classrooms are people who are a potential danger to those students.

I have someone who agrees with me on this disciplinary issue who happens to be a current member of the Liberal government, and happens to be a current cabinet minister of this Liberal government. The reason she

agrees with me is because she has some experience in the education system, and she, perhaps at great risk to herself, went out of the way to write a letter to Gerard Kennedy, who at the time was the Minister of Education.

For the benefit of my colleagues in the Liberal caucus and the NDP caucus, and for the benefit of the public, I want to read this letter into the record because it should be taken seriously. It is dated December 2, 2004, and it's addressed to the Honourable Gerard Kennedy:

"Dear Minister Kennedy,

"I am writing to you to express my support for the issues raised concerning the governance of the Ontario College of Teachers. As you know, I have had a long affiliation with the Ontario Principals' Council and have a good knowledge of its background and its *raison d'être*. I met with representatives of the OPC on December 1, 2004 and agreed to write to you in support of the concerns which they expressed.

"No professional college can act in the public interest when its governing council is controlled by a union, whose own mandate it is to defend its members against public charges. This issue must be addressed, as a council controlled by the Ontario Teachers' Federation will further increase the widespread perception that the college is controlled by the teachers' unions and does not adequately protect or represent the public interest.

"A further concern expressed by the OPC surrounds the issue of peer review. I share the belief that there must be a mechanism put in place to ensure peer review for principals and vice-principals. Allowing teachers with limited understanding of these roles to judge school leaders is neither self-regulation nor peer review.

"I also support the OPC's concerns about those conflict-of-interest guidelines which presently allow union leaders to be members of the OPC. They may have to defend the interests of their respective bargaining unit members, while, at the same time, investigating, disciplining or judging the fitness to practise of these same individuals. One person cannot be a defender and a judge at the same time.

"I urge you to give serious consideration to finding a resolution to concerns affecting the 5,000 principals and vice-principals who are represented by the Ontario Principals' Council.

"Yours very truly,

"Donna Cansfield

"MPP Etobicoke Centre."

I read the entire letter into the record. I didn't want to be accused by any member of this House of being selective in terms of what I refer to as a quote. I want to commend Ms. Cansfield for her forthrightness and for her courage in taking this issue to the Minister of Education. I'm disappointed that the Minister of Education has not heard his colleague. I would say to the new Minister of Education, if you don't want to listen to the official opposition education critic or other members of the opposition, if you don't want to listen to three former Ministers of Education, would you listen to a fellow cabinet colleague who sits with you at the same cabinet



table and argues the same principles in the interests, no doubt, of public education?

I'd like to move on to some of the other aspects of this bill. I mentioned at the outset of my remarks that, in many ways, this bill is like a Trojan horse: Once it's there, who knows what's going to come out? Well, one other aspect of this bill that concerns us greatly and should concern the government, and it certainly does concern many stakeholders—I know that many parents, when they hear about this provision in the bill, are shocked—is that this bill removes the teacher qualifying test for teachers in this province.

1620

Up until now, teachers have had to pass a qualifying test when they graduate from their teachers' colleges, from their teacher training. Before they could enter a classroom, get certified as teachers in this province, they would have to pass a qualifying test. It's interesting that Dalton McGuinty, not too long ago, made the statement that he believes in qualifying tests. In fact, he made the statement that just like other professionals, be they accountants, lawyers, engineers or whoever they might be, there should be a qualifying test and teachers should be treated no differently. The principle is that we want to be assured that teachers who are teaching our young people in our classrooms are fully and properly equipped. We in the Progressive Conservative Party are still having a hard time figuring out why this government feels they're doing something good for public education by saying, "Okay, teachers, from this point on you need not pass a qualifying test anymore. We're going to take that hurdle away from you. Don't worry about it."

In fairness, the bill talks about putting in place a mentoring program for new teachers. That's good. That should be in every school today. There should be on the ground, in the classroom, ongoing training and guidance of teachers as they come into the classroom. This is good. What the government has done here is taken the good, which is the mentoring process—and they've committed to putting substantial financial support; we'll have to wait to see whether they really will—but in addition to saying they're going to help teachers become better teachers through a mentoring program, they're saying, "By the way, you don't have to pass a test. You don't have to qualify to be a teacher anymore. Take your training, do what you have to do there, but we're going to take this hurdle away."

Interesting how that is contrary to most other jurisdictions. In New York, there's not only one qualifying test; they have three. That's how much they care about their students. That's how much they care about the standards of education in the state of New York.

I am one who believes our standards of education should be higher than any other jurisdiction anywhere in the world. Why wouldn't Ontario have as its vision to educate the brightest and the best anywhere in the world? And how do you do that? You do that by having the brightest and the best and the highest-qualified teachers anywhere in the world. And how do you get that? You

get that by ensuring that teachers have the best possible training and the highest standards. That's how you do that, so that teachers around the world would say, "You know what? I want to go and teach in Ontario because it's a place for educational excellence. When people find out that I've graduated and I've qualified to be a teacher in Ontario, I can get a job as a teacher anywhere in the world, because the word has gone out that they have the best teachers anywhere, the highest standards, the highest qualifications." Instead, this government is turning that all upside down. They're saying, "No, no. You know what? We don't need those tests anymore."

I think it's fundamentally wrong, I think it is undermining our public education system, and I believe this education Premier will rue the day he allowed Bill 78 to be brought forward by the former Minister of Education, and the current Minister of Education will rue the day that she didn't seize the opportunity when she was given that new mantle to represent public education in this province to have a sober second look at what this bill was doing to public education in this province.

I want to take this opportunity to also let the public know that this is really a finale to the government's attack on teacher training and education. In a previous bill, this government took away the mandatory teacher training and professional development program that the previous government had put in place. You see, that too was a recommendation by the Royal Commission on Learning, in the interest of ensuring that we had the best-qualified teachers. So professional development for teachers was mandated; it was made a requirement for every teacher. This government, in the short time that it has been the government, dismantled that as well.

You may recall that the rationale for justifying eliminating the professional development program was that most teachers pass it anyway; most teachers do it anyway. Most teachers take the initiative and get involved in professional development programs, so there's no need to have it be mandatory. The objection by the teachers' unions was not that there's professional development; it was that it was mandatory. That was the rub: that it's mandatory.

Here's the reason it was mandatory. In every school, the vast majority of teachers do in fact take the initiative and do the self-development and engage in professional development programs, and the vast majority of those teachers are excellent teachers. But I don't think anyone in this place will deny that every once in a while, you hear about a teacher who isn't quite up to snuff, who isn't there. Maybe for one reason or another, the thrill of teaching has worn off. Maybe some incompetence has set in along the way, maybe they're not igniting students the way some other teachers could, and maybe they're lacking some skill and need some additional impetus, guidance and direction. So why do we make it mandatory? Why should it be mandatory? To ensure that those teachers who don't have the initiative to do it themselves and actually get engaged are, yes, forced to become better than they are. That's why it's there. This government



dismantled that, and we believe that that too is fundamentally wrong. We believe that we will, down the road, reap the whirlwind of that decision.

We would look at this bill overall and say that it shouldn't be passed by this Legislature. I don't think there is sufficient space here in this bill to endorse it.

There are a number of other aspects of this bill that we believe are, and should be, of serious concern. I remember well, when the current Minister of Education was in official opposition, that every so often there would be a ranting and a raving about the fact that so much had been left to regulation within the framework of the legislation; so many decisions were left to orders in council; so many decisions were left to the minister to make, and it just left far too much wiggle room for the government to control. If there was one sound bite that I remember very well from the provincial election, it was that a Liberal government under Dalton McGuinty would respect local autonomy, would respect local school boards to make decisions relating to their jurisdiction, that they would respect local autonomy by municipalities, by municipal government. Isn't it interesting? Here they are, the government, and they're doing everything but.

1630

Bill 78 essentially strips school board trustees of their ability to function. It essentially guts the authority of the local school board. It gives the Minister of Education virtually total control of the education system and it creates puppets at the local level that they continue to call trustees. And by the way, the sop for that was that they're going to pay trustees more now, you see? The typical Liberal formula: Pay more for less. You limit the scope of trustees' responsibilities, giving them a little more money to make them feel better about the fact that they are trustees even though they have virtually no authority now, and this, all in the interest of what they refer to in this bill as better student performance? Who are we kidding?

I think the issue of creating for the Minister of Education absolute control in the education system is again contrary to what we in this province know as public education. You see, there is a reason it's called public education: It should mean that the public controls it—that it's parents, who are the taxpayers, who pay for the buildings, for the operations, who pay the salaries of the teachers, who want what is best for their children as they go through the public education system. That is the "public" in the public education system.

This government doesn't see it that way. This government sees public education as controlled by the Minister of Education and controlled by the teachers' federations. That's how they've redefined public education. Well, it's not, and parents shouldn't stand for that. We will stand with parents, we will be on the side of parents, we will be on the side of taxpayers on the issue of public education, and we will do whatever we can to raise the alarm about what is happening in public education.

The rhetoric that we continue to hear about peace and stability is so far from the truth—it's not peace and

stability at all. What it means right now is that there is a sleeping dog that's lying there, and there's an awakening that's coming. There are serious problems on the horizon. People in this province will realize that this government is better than any government before them—ever; of any political stripe—in making announcements, in having press conferences, in giving people a feel-good attitude, but there's no substance behind the announcements.

Here's the awakening: We're going to hit the brick wall this coming fiscal year. All of these announcements made by the former Minister of Education and now the current minister are just picking up on that media line—announcement after announcement that sound so good. If I didn't know what wasn't there behind those announcements I'd be applauding her as well. But they are announcements that are shallow, and they're creating more and more targets for school boards to achieve without the resources to achieve them. That is why we had the Toronto school board telling the minister that they are facing a \$100-million deficit in the coming fiscal year—\$100 million. That's just one school board.

We have been saying this to the government: For the last two and a half years we have been adding up the numbers, and the last number we were at was \$1.5 billion, which is the shortfall between the announcements of the programs and the funding that the government has given to support them.

Where's the money coming from? The money isn't there. It's not there. On the one hand they're creating an incredibly impossible circumstance for our local school boards right across the province. On the other hand they are selling out public education. They're undermining the very foundation of what has been built over decades to ensure that Ontario's education system is the envy of the world. They're undermining that, but they're very good at creating the perception that all is well in Ontario education. It's not; far from it.

There are a number of other aspects of this bill that I would have liked to bring to the attention of the public, but they grow faint against what I believe is a major flaw and against what I believe is going to create for public education in Ontario significant problems for years to come, and that is the interference with the independence of the Ontario College of Teachers, mandated to serve the public interest and stripped of the ability to do so by this government through Bill 78.

**The Acting Speaker (Mr. Joseph N. Tascona):** It's time for questions and comments.

**Ms. Andrea Horwath (Hamilton East):** I'm looking forward to taking an opportunity in just a very short time to make some comments myself on this third reading debate of Bill 78. It's interesting, because the member from Oak Ridges spent a great deal of his remarks on the issue of the college of teachers, and I see that as a bit of a tempest-in-a-teapot issue. It is something that I think they spent a lot of time on and then got some results, really, from the government in terms of how they've addressed that through their public interest committee, the watchdog that they've basically put in place to sic on the



college of teachers if they get out of line. From my perspective, it's an issue that I'll spend more time on a little later on but one that's really much ado about nothing. See, I'm trying to bring in some of my education from my school days. I think that was a Shakespearian play, if I'm not mistaken, *Much Ado About Nothing*.

Nonetheless, the member from Oak Ridges is certainly very well read, as the critic in this area, and brought forward a number of issues that they're concerned about. Some of them we don't disagree with, and while they're seeing this bill as a Trojan Horse, we're seeing it as more of an Orwellian experience or an Orwellian proposal in that in the title of the bill it talks about being about student performance, when in fact it is anything but. In bringing it forward, both the previous minister and the current minister have used words like "relationships of respect" with the teachers and "flexibility for local school boards," but as I will be discussing a little later in my remarks, the bill does nothing of the sort, and New Democrats have some serious concerns with it.

1640

**Mr. Jeff Leal (Peterborough):** I listened intently to the comments of the member from Oak Ridges. Just a couple of observations: My wife is a grade 8 teacher in Peterborough, so I do spend a fair amount of time talking to her colleagues in the teaching profession. I think it's interesting to note that Annie Kidder released her report not too long ago, and I think in the opening paragraph she indicated in a very public way that the crisis in education in Ontario was over. Now, to be fair, she did go on and list some other things that need to be looked at, and I think it's appropriate that you put that in context. But I do spend a lot of time in classrooms in schools in the riding of Peterborough, both the schools that are in the urban setting of Peterborough and those that are in the rural setting of Peterborough.

When you talk to teachers and you talk to vice-principals and you talk to principals, indeed there seems to be a better, more positive feeling in the classroom today. I just want to note that many young teachers I've talked to are pleased that the Ontario teacher qualifying test will be eliminated and that the new teacher induction program in class, the second professional step for new teachers, will be introduced. I think that process and the mentoring program are a better process for new teachers moving into the profession. Ontario is blessed. I think we have one of the best groups of teaching professionals in all of North America. The level of excellence is second to none.

The other thing that I think is a positive step—

**The Acting Speaker:** Further questions and comments?

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I want to congratulate the member from Oak Ridges for what I believe was an outstanding presentation on the concerns around the bill as currently introduced by the government. It's interesting to note that the concerns he has expressed are not just shared by our party, but he read into the record the letter that had been signed by

Bette Stephenson, Janet Ecker and David Cooke. I think that the concerns these three former Ministers of Education have raised need to be seriously considered.

It's interesting that Donna Cansfield, the current Minister of Transportation, who knows the education field extremely well—in fact, I had the privilege of working with her when I was chair of a school board—also has concerns about this legislation. But I'll tell you, it is extremely important that when you have a college, in this instance the Ontario College of Teachers, you need to ensure that it remains independent. It is there to protect the public interest. This happens in every other college in Ontario. So this college, which was modelled on the same principles as the other professional regulatory bodies, is now losing that independence. It is no longer going to be in that critical role of protecting the public interest, because of the way in which people will be appointed to that college and because the control will be in the hands of the unions, as opposed to individual members. So I hope the government listens to these very, very legitimate concerns.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I too wanted to add a few comments. I think the member from Oak Ridges did have quite a detailed critique of the bill, and I commend him for that. I think it was quite thorough, and he's gone through it quite carefully.

I think what the government is trying to do in bringing forward this bill, Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education, is to bring in a new education system, a new education era for the province of Ontario. I think that one of the key things this government ran on in its platform back in 2003 was to improve the education system. A lot of those improvements are contained in this bill, including trying to improve on teaching excellence, making sure that teachers have an environment where they can work with each other and have the proper number of PA days to work and discuss issues that are important to them; to not be subject to the testing requirements that the former government was trying to impose; and also to give local boards greater say in how local schools will be run. I think that's quite important because throughout Ontario school boards from one jurisdiction to another will differ. We have to work co-operatively with the boards to make sure the targets that we set at the ministry level are met, and I think the boards are best capable of doing that. The ministry will continue to consult with boards and stakeholders to determine which circumstances would trigger intervention by the government and which areas of increased flexibility should be opened up.

I think this is a win-win situation. It's good for the teachers, it's good for the students and it's good for the people of Ontario. So I stand today supporting this bill.

**The Acting Speaker:** It's time for a response.

**Mr. Klees:** I want to thank my colleagues for their observations and their responses. It's very clear to me that I haven't made a dent in the thinking of any of the Liberal members this afternoon. While I was not too



hopeful, miracles always possibly could happen, but not in this place, it seems. I rest my case; I've made my points. Time will certainly tell.

It's interesting: The member from Peterborough states that all young teachers that he's spoken to welcome the fact that the qualifying test is being eliminated. Isn't that an awakening? If you were to go to any student in the province of Ontario and say, "Look, if we were to eliminate all of your tests and all of your assignments, would you be happy with that?", I don't think there would be too many who would say no.

Of course, if you lower standards and make it easier for people, without a great deal of thought, most people will welcome it. But that isn't the role of government, that isn't the role of the Minister of Education, and surely that isn't the role of a Premier who calls himself the education Premier. Our responsibility is to ensure that we have a public education system beyond reproach that serves the public, that serves the public interest, that raises standards, and that ensures that when our students graduate, they will be competitive with students from any jurisdiction in the world today.

This bill undermines that. This bill will lower standards rather than increase them. It reduces expectations rather than raise them. It's bad public policy.

**The Acting Speaker:** It's time for further debate.

**Ms. Horwath:** It's my pleasure to make a few comments on Bill 78 here at third reading stage of the bill.

I want to start by referencing some of the comments I was raising in my questions and comments a little bit earlier on, and that is the issue of having part of the title in brackets: the words "student performance." The bill itself is entitled the Education Statute Law Amendment Act (Student Performance), which would lead one to believe that the entire bill is about student performance, or that at least the vast majority of the bill is about student performance. In fact, the bill itself is an omnibus bill that has a number of different pieces in it. A number of different issues are dealt with, a number of different changes are being brought forward in this bill, but I would submit that very little of it has to do with bona fide student performance issues.

1650

I said earlier that from my perspective it's a bit of an Orwellian concept, a bit of an Orwellian title. I decided that maybe there are people here watching who are not sure what "Orwellian" means. We use that word a lot in modern language, but some people might say, "What is Orwell? What does 'Orwellian' mean?"

"Orwellian" refers to George Orwell, a writer who published a work in 1949 called *Nineteen Eighty-Four*, and there were many interesting concepts that were raised in that piece. But one of the concepts was the concept of what he referred to as "doublethink." I thought it was maybe the appropriate time to quote back exactly what doublethink was in the context of George Orwell's *Nineteen Eighty-Four*. "Doublethink means the power of holding two contradictory beliefs in one's mind simultaneously, and accepting both of them."

What this bill does and what makes it Orwellian from my perspective is that the minister says one thing, the government says one thing, and they bring Bill 78—Bill 1984, I almost said; that would have been a coincidence—forward and claim it to be what they are trying to articulate in terms of their vision. But if you read the bill, it is contradictory to that vision in very many ways. So I'm going to spend some time talking about that, somewhat in the context of whether or not it is actually to do with student performance, but also concepts that the government continues to bring forward around how this bill somehow, in their minds anyway, relates to flexibility and relates to respectful relationships with the teachers, etc.

Let me start by talking about an issue that was raised by our critic, the member for Trinity-Spadina. It's at the very beginning of the bill. The issue is one that I really wasn't very well aware of until I sat with him very recently, in fact earlier this week, through his third reading discussion as the lead critic in this area for the New Democratic Party caucus. I have to tell you, I was quite surprised to be informed at that time by the member for Trinity-Spadina that there's a section in this bill, one of the very first sections, that speaks to the collection of personal information. He raised some really interesting questions about that section during the committee process and was chagrined to discover that nobody on the committee, when he asked questions about that collection-of-information piece, could answer his questions. Nobody could respond to the concerns he was raising, very legitimate concerns: What kind of information is the ministry centrally, provincially, going to be collecting? Information on who is going to be collected? Information on teachers? Information on students? What kind of information is all of a sudden necessary to be collected by this centrally located ministry, by the minister, which is the way it is presented in the bill?

We already know that school boards have the ability and the obligation to collect certain bits of information, certain pieces of information about the students who are being taught through the system, but this particular piece of the bill, one of the very initial pieces of the bill, enables or expands the collection of information and centralizes it to the provincial ministry. Although nobody could answer any questions about that, we're expected to just accept that as something that is fairly benign, not very harmful and really nothing to talk about at all. In fact, we don't even have anybody to answer any questions as to what exactly this is meant to achieve, why it is being put in there, what is the purpose of it, and even just basically what kind of information and on whom it is going to be collected by virtue of having this clause in the bill.

So it was a bit of a concern and it remains a bit of a concern that the Minister of Education will now be in a position to collect information, the details of which, of course, are not in this bill and won't be debated in this House because they'll take place at some point after the bill has passed third reading and been implemented, pro-



claimed into law, as the regulations and details are developed by the government. So, unfortunately, we're going to leave this debate in a very short time not knowing exactly what the intent of that clause is. That's somewhat disturbing. In fact, it's extremely disturbing, because the other piece of that is that we all know, in this day and age, that the ability of people to get hold of, or of organizations, agencies or authorities to get hold of, and share personal information of the citizens of this province is something that has been raised many times by many people. We are also concerned that we have no details as to why this information is being collected centrally by the ministry and who will be able to obtain copies of that information, regardless of what it might or might not say. That is all very much a concern to us. It's unfortunate that the debate likely is going to end today and that this will go forward without answers to those questions.

In regard to the issue of the stated goal of the current minister and the previous minister, and the rhetoric, the assertions they were making about this being a bill that provides for local flexibility, that it respects the relationship with teachers and with boards, that this is one of those things where it's getting away from the micro-managing the previous government was accused of by them, and that this is the bill that's going to fix all of those problems, when you really get down to it and look at Bill 78 and ask the question, "Is that what this bill does? Is that what it says?", of course it doesn't say it overtly, but when you read between the lines and when you look at what this bill does in terms of putting in place various bodies and rules for those bodies, you'll find that in fact it does none of those things.

They say it's going to improve—they're going back to the title—student performance. Exactly how does that get achieved in this bill? How is it purported that this will be achieved in this bill? They basically indicate it's going to be achieved by a number of different measures that are put together through a regulation.

They describe in the bill something called the provincial interest, and then a number of clauses further define what the provincial interest is. Of course, school boards and teachers are going to be operating in their local communities with the provincial interest in mind.

They go on to describe what these provincial interest details entail. It says, "The Lieutenant Governor in Council may make regulations prescribing, respecting and governing the duties of boards, so as to further and promote the provincial interest in education."

On the one hand, they're saying boards are going to have more flexibility, and on the other hand, in the bill they very specifically outline what the expectations are going to be and how they in fact are going to reduce flexibility of the boards by implementing these specific regulations:

"A regulation made under subsection (1) may require a board to,

"(a) adopt and implement measures specified in the regulation to ensure that the board's funds and other resources are applied,

"(i) effectively, and

"(ii) in compliance with this act ...

"(b) adopt and implement measures specified in the regulation to ensure that the board achieves student outcomes specified in the regulation."

This is one that was of quite a bit of concern, not because there's anything inherently wrong with the concept, but because we've already seen what this government is prepared to do to artificially make sure that the student outcomes are reaching the expectations set by the government.

I raise this because we already know that this government wanted to bump up the number of students who were achieving certain levels of the EQAO tests that were put in place by the previous government. The previous government set a benchmark, and this government came in and said, "We want to improve on that benchmark." Okay, well, of course. The whole goal is to constantly improve. If we want to improve student performance—back to that concept at the beginning—then certainly we would want to bump up the number of students, the percentage of students who are achieving a certain benchmark, the provincial average on the EQAO test.

1700

The problem is, the way the achievement is undertaken or realized is by manipulating the test itself. It's not about getting the students to a place where they are able to perform better on the test and then, the test having been the same, students have better results; it's about lowering the bar, if you will—pulling a little bit of limbo with the EQAO tests. That is problematic. That is a little bit Orwellian, if you ask me.

What has happened is, the test that used to be a 12-hour test is now a six-hour test. The test that used to have a certain number of multiple-choice questions—which, of course, are a little bit easier than the long math questions, for example, that you have to work out in your mind. There's a different standard, and it's a little bit easier for the students to achieve better results on the test. In fact, the ability of students to use calculators has also been adjusted with the new test.

I've got to tell you, I'm a mom. My son's 13 years old and he has had to go through the testing process. There is no doubt that the testing was difficult. I have no problem if you're identifying that your measurement needs to be fixed, that the measurement is not working; the methodology for this measurement is causing too much stress on children. I know it was very stressful for my son when he was taking the tests in grade 3 and grade 6. But I've got to tell you, be up front about what it is you're trying to achieve. If you're trying to reduce the stress on kids because the testing instrument is too difficult for them or it causes them very significant stressors that just aren't appropriate for children, then say so. Don't fiddle with the test and then turn around and say, "Oh, look: Our kids are doing so much better," and pretend you haven't adjusted, changed or reduced the difficulty of the test. That's inappropriate.



That's a concern we have in regard to the extent to which this language in Bill 78 isn't about student performance, but it's about the government being able to set new measurements, manipulate the measurement tool, and then turn around and call it a student performance achievement. That is something that is completely inappropriate and will do nothing to make a real difference in student performance. Simply, it will make surface improvements, because it will only be a numbers game, a statistical game, and it won't be a real achievement for students, at least not if Bill 78 goes forward as it's written, allowing the government to intervene and manipulate these things so that they can get the results they want, not for kids but for them to be able to put into election materials. What a shame that will be for the children of the province of Ontario.

The other issue I thought was really important to talk about—and I know we've had excellent remarks in this regard by our lead critic, but it bears repeating—is the whole issue of the college of teachers. New Democrats don't have a problem with that. In fact, it was part of our platform to have even more teachers on the college. We actually believe the teachers go on to that college with the right frame of mind, with the right goals, with the right intentions, as teachers wanting to do the right thing, wanting to make sure that they're appropriately certifying teachers and that they're appropriately taking away certification of teachers. But it's interesting that others don't feel that way. They feel that somehow this is going to be a huge problem, an absolute conflict of interest, and that there's no way we should be able to trust teachers to undertake this very important work.

There are two very odd things about this bill. One is that, in reaction to the criticism, largely coming from the Conservative side, the Liberals decided, "Okay. If you don't like the way we've got this simple majority of teachers on the college, then we're going to put this committee together that's going to be the watchdog for the college." So when they say that they're respecting teachers and they're supporting teachers and giving them the majority on the college because they trust them and they have a respectful relationship, what they don't say, which is the Orwellian part, is, "But on the other hand, we're going to put a little watchdog committee on there so that you'll have to watch your p's and q's. We're going to just make sure that you don't do anything wrong, because although we say we trust you and we're giving you the majority on the college of teachers, we don't really trust you. We're going to put a watchdog committee on you."

They're going to put a committee together, three to five people, with offices and bureaucrats supporting them, the whole ball of wax, the whole little infrastructure for a committee that's called—I just can't remember the name of the committee. It's called the public interest committee. This is the watchdog committee that's going to make sure that the college of teachers, which is now controlled by teachers—I don't know how many colleges we have in Ontario. We have a lot, and I

would beg to imagine that most of them are controlled by the very professions that belong to them.

That's the whole point. It's called a self-regulating body. It's not a new concept and it's not one that isn't undertaken in many other fields in Ontario, but for some reason, it's a problem for the teachers. Instead, we're going to have a committee that's going to watchdog the teachers. It's going to have a number of high-paid bureaucrats staffing these public interest appointees who are going to watchdog the teachers, because they have all of these very difficult and serious decisions to make, which they do. Certification of teachers and decertification of teachers, I do believe, are important issues to be dealt with.

But do I think that teachers have an interest in making sure that they're doing that appropriately? Of course they do. Of course teachers have an interest in making sure that the work they're doing is appropriate, that the certificates they're handing out and the ones they're pulling back are done for justifiable reasons and with absolute, upfront honesty and upfront appropriate analysis, because you know what? If they don't do it that way, then it reflects poorly on the profession of teachers, and that's certainly not something the teachers would want to have done.

I'm already running out of time, and I have so many other things to say.

If the government really respected teachers and respected their right to control their college, like most other professions do, then frankly they wouldn't need to be putting in a little watchdog committee and they would spend those dollars instead on fixing the system, which they haven't yet had the opportunity to do for some reason. I'm going to end on that very issue.

Unfortunately, this government, instead of dealing with the real problems facing the education system, has brought forward Bill 78, calling it a student performance package. If they really wanted to improve students' experience in the education system, then they should look at some of the fundamental problems that exist currently. I'm talking about the basics. I'm talking about fixing the funding formula so that we can make sure that boards are not having to steal from Peter to pay Paul, that they're not having to take money from ESL, from special ed, from French immersion, from transportation; that they're not having to play a shell game and cobble together their budgets at the end of every year so that they're ready for September.

What do we know for sure? It came out today. Last night, the Toronto school board—unless this government is prepared to fix the funding formula problems, to acknowledge that there's a serious systemic issue that they still have to address, we're going to see more and more school boards following the lead of the Toronto school board. What are they saying? Sixty-four schools on the list for closure and—that's not all—numerous and deep cuts to programs. That certainly is not anything that this government should be proud of.

**The Acting Speaker:** Questions and comments?



**Mr. Berardinetti:** I appreciate hearing the comments from the member from Hamilton East, again another good critique on the bill.

This is quite a far-reaching bill which covers quite a large number of areas involving education, from the teachers themselves to school boards, school trustees and of course the public. Just to touch briefly on some of the points here, I think one of the keys is that in preparing this bill the government has consulted and spoken to several stakeholder groups out there, ensuring that their concerns are addressed in this bill.

One of the key things is that we want to make sure that the ministry is able to require school boards to publish reports respecting their compliance with specific operational requirements, and I think this allows for greater public accountability and openness in education. There's been some concern expressed by some groups that the public school boards were not being open enough to some of the concerns regarding the way they operate or some of the information they collected.

1710

The other important thing we're doing is we're allowing student trustees to operate in this new legislation. Student trustees would have a variety of rights, including a scholarship at the completion of their term, equal access to all board resources, and the right to attend trustee training programs the same as board members. This supports the minister's commitment to address the Ontario Student Trustees' Association. They had a recommendation to empower student representatives on school boards, and we're doing that. I think it's very important to have some students in there.

Of course, by having more professional development days for the teachers, it allows them a chance to work with each other and to try to foster a co-operative environment, which is something we did not see previously, and which we will see presently.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I am pleased to rise today and comment on Bill 78 and the comments made by the member from Hamilton East, who did a good analysis of Bill 78, and the member of our party, the member from Oak Ridges, before. It's important for this government to hear the messages that they brought forward. I know we're in the third reading, but the bill has gone to committee and there was a lot of input from them.

Certainly, what I hear most often from the riding is about the college of teachers and the composition that it's going to have, that it's going to be too one-sided; the teachers are going to have too much control in that professional body. It was brought up earlier about the knowledge the teachers actually have themselves about the college of teachers and why the college of teachers is there. It's to protect the students and the parents and to look at the quality of education. I have many teachers in my family and there are great teachers out there, but this college of teachers was set out as a watchdog body. There is concern—and this is what I hear the most in the

riding of Haliburton–Victoria–Brock—about its composition and that the control is going to go to the unions.

I notice that even in the Toronto Star there was an article written on this, and it says that the problem is you're throwing out a lot of good stuff with the bad with this bill, in giving working teachers a majority on the governing council of the college of teachers, the regulatory body of the profession. This was fulfilling an election promise but it doesn't do what the college was set up to do, and that is to oversee that we get good teachers in the system. We have to provide our children with the best education that we can provide to let them be competitive in our global economy.

So this is a big omnibus bill. Those were just a couple of the issues that are contained within it, and I am pleased to have had the opportunity to speak to this today.

**Mr. Michael Prue (Beaches–East York):** I listened, as always, to my friend from Hamilton East. She speaks passionately but she also speaks from the heart and from what she knows. She always is able to bring in aspects of her son and what her son has gone through in the schools and how she sees this being played out in the parameters of this bill.

The last government was famous—the newspapers said it a lot; people in this House said it a lot—in that they developed Orwellian bills. They would have things like the Tenant Protection Act that did not protect tenants, and there were a whole bunch of bills like that, that pretended to do something they did not do.

I have to tell you—and my friend used the word “Orwellian” again here today—that this bill falls along that same line. This is an act which many members of the Liberal Party have stood up to speak about, and the member from Hamilton East has pointed out quite clearly that what it has been said that this act is going to do is clearly not what is contained within the four sides of the legislation. She has pointed out quite clearly that this is a centralization of power. It is not to give greater power to teachers or to unions or to parents or to students. It is in fact—and I'm going to be dealing with this myself—an act to centralize further the power of the education authority here at Queen's Park, and most specifically with the Lieutenant Governor in Council.

That is the true purport of this act, that is precisely what she tried to bring out in her comments, and that is precisely, I would think—notwithstanding the many machinations, the many statements made by members of the government and the governing party—what the intent is. I commend her for having said what she said and for the very sort of folksy, down-home, how-this-is-going-to-affect-my-son approach. But her message was very clear: This bill does not purport what you say it is going to do.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I guess we have to wait till 1984 to see if this is truly Orwellian or not. I would just suggest here that I don't think there's anything Orwellian about 54% of the nurses' college being working nurses, or 61%



of the pharmacists' body being working pharmacists, or 67% of the social workers' body being social workers, or 83% of the lawyers' body being lawyers. In fact, of the some 54 groups that we looked at in the committee, the very lowest majority of working fill-in-the-blank was, in fact, the teachers' college. So there's nothing Orwellian about creating a truly self-regulating body, the college of teachers, in addition to the fact that there was a campaign commitment that we made, and we all know in this House how hard we're working at maintaining campaign promises.

I want to say too that no one has ever referred to the public interest group as a watchdog group. It's not intended to be a watchdog group. It's intended to be of a particular assist to the college, to help provide some independent guidance perhaps on a broader role as definitions of public interest change. So we're anxious to see an independent and autonomous group. We feel first and foremost that teachers do understand the difference between teacher advocacy and public interest and that it's in their interest to ensure the public interest. I suppose you could argue that the oath, the precluding of union officials from being members, and some of the other things would provide some additional protection. But that's certainly not our intent.

**The Acting Speaker:** The Chair recognizes the member for Hamilton East.

**Ms. Horwath:** I thank the members for Scarborough Southwest, Haliburton–Victoria–Brock, Beaches–East York, and Ancaster–Dundas–Flamborough–Aldershot for their comments on my remarks.

In the last minute and 30 seconds that I have to speak to this bill before I must leave it to my good friend, I wanted to quote from our own Hamilton school board chair, because I think she's the one who most appropriately encapsulates what the problems are now, and I firmly believe that this bill will not address those problems.

“The major problem for all boards of education is salaries and benefits. The gap between the amount funded and the actual amount paid in teachers' salaries in 2002 was approximately \$4,500 per teacher. In 2003-04, the gap in funding had grown to approximately \$6,000 per teacher—going in the wrong direction. ‘Staff cannot be reduced because of collective agreements and class regulations,’” which is appropriate.

Following, she says, “In Hamilton, the gap is closed by using most of the local priority grants and taking \$1.3 million from French as a second language (this includes French immersion), \$1.8 million from English as a second language ... and \$2.8 million from a grant intended for disadvantaged students and those at risk.” Those would be special education. “Left unresolved, the gap is expected to increase by an average of at least 10% per year over the next three years.”

That was a quote—and I could go on—from Judith Bishop, the chair of the Hamilton school board, the public board, and I have to say that that is the crux of the matter. If you're really going to get at student perform-

ance, if you're really going to bump up those numbers, then you have to resource the system. That's the solution: Resource the system.

1720

#### **The Acting Speaker:** Further debate?

**Mr. Prue:** I understand from my friends on all sides of the House that this debate may in fact collapse, and I may in fact be the last speaker here tonight. We hope so. So I promise you, because there are so many faces of anticipation hoping to get out of here, that I will not take my entire time. I can see smiles all around. But I did want to speak to this bill, because to me, the most important part of the bill, the crux of the bill, the reason I find it difficult to support the bill in spite of some of the laudatory measures that are contained therein—and there are some in terms of the school trustees, the student trustees and in terms of how the bill will loosen up some of the process. But to me it all comes down to one phrase in this bill that the government has not seen fit to change, and that is found on the second page. I'll go right to it. It's section 4, and this is what it says and what causes me difficulty:

“11.1(1)The Lieutenant Governor in Council”—for all of you who don't know or those watching television, that means the cabinet, the inner sanctum of the government—“may make regulations prescribing, respecting and governing the duties of boards, so as to further and promote the provincial interest in education.”

What that means in a nutshell, and the reason this concerns me, and I'm sure many people who value the system of education and the boards and trustees who have laboured so hard in this province, is that this will allow the Lieutenant Governor in Council to centralize the authorities, to make the rules and regulations, to have the cabinet do a one-size-fits-all and tell the boards how and in what ways they must operate.

This is a further centralization of power that I had hoped this government would try to back away from. We saw what happened when the centralization happened in the previous government. We saw boards taken under authority, we saw trustees' salaries capped at \$5,000 and we saw the turmoil that ensued. But what we saw most of all was the loss of local control, where ordinary parents were able to contact their trustees, were able to have their points of view known and were able to, in some cases, mitigate the harshness of the law.

What we're seeing here is that this government wants to take authority in a way that has never been held before in this province, at least for the last 100 years, and to centralize that process within a small group of men and women numbering about 20 in the cabinet of Ontario. I have some considerable difficulties with that, because it is going to weaken a system of educational government that has been in place ever since the time of Egerton Ryerson, and it's been in place in small-town Ontario, where the money was raised locally to build a school, to find some schoolteachers, to educate the kids, to keep them at home, to give them a future, and where the parents were able to very clearly and articulately say



what they hoped their children would learn. That seems to me to be coming to an end, and I believe this is the beginning of the end of school boards and, if this is passed, the beginning of the end of the power of trustees to regulate what is in the public good in their local communities.

You know, there is a change in here and the government, I'm sure, if they are going to comment, would say, "How can that possibly be true? We are going to allow the school boards to raise the salaries of local trustees." That's in here, and I wouldn't necessarily think it was a bad thing, except when you look into the rules you will see quite clearly that there is a new cap that is placed by the minister on any remuneration that can be given to school trustees. Right now the Lieutenant Governor in Council capped that at \$5,000, and in this bill it will be allowed to the minister, and the minister alone, to cap it at whatever amount of money he or she deems fit at the time.

The minister will also have the authority to issue new regulations around how these remunerations can be made and can make that different across the province, so that a school trustee in one location can earn much more than a school trustee in another. It will set off one region and one group of trustees against another, I'm sure, over time and there will be a whole feeling between trustees in urban and rural Ontario that they're not being the same for potentially doing the same kinds of services in their community. Last but not least, the minister preserves the right to make any changes retroactive for some nine months before today's date. That's the last date on which any of these changes can take place.

I want to tell you about this subsection 11.1(1) under section 4, where "The Lieutenant Governor in Council may make regulations prescribing, respecting and governing the duty of boards, so as to further and promote the provincial interest." If we go down through those, there are about six or seven of them, where the Lieutenant Governor in Council can now tell the boards what to do. I'm not going to read all of these because they are kind of in government legalese, but one of the first ones will be to regulate "to ensure the board's funds and other resources" are spent wisely or "are applied." This is questioning the whole competency of the board system in Ontario. The government will be able to step in whenever they think the boards are not spending their money wisely and well.

We all decried that activity when it took place under the previous government. We decried it in Toronto, when a supervisor was brought in, we decried it in Ottawa and we decried it in Hamilton. I would think that should this government use this particular section to do the same, there will be a hue and cry again. I wonder why the government put it in.

There is another section here that allows the Lieutenant Governor in Council to "adopt and implement measures specified in the regulation to ensure that the board achieves student outcomes specified in the regulation." I can't think of anything else this could possibly

be used for but to tighten further the noose of standardized education. I don't know what else it could possibly mean and I don't know why it's in there. It will take away the authority of boards to make this decision and further standardize the type of education that is made centrally and is decided here in Toronto. Having lived my whole life in this city, I like to think of it as the centre of the universe, but I think I'm mature enough to know that it is not, and that there are parts of Ontario where the education we provide here is simply not what they need to learn.

I can think of nothing more different than my experience in talking to a group of students in Peawanuck last week. We were talking about this government and this Legislature, Bisson and I, and they weren't too interested. But when we started talking about hunting, and we started talking about their families and what they were learning about putting up blinds to shoot goose, and talking about fishing and talking about a whole other thing which was a world apart from me, that too is what they were learning in their school. That was more important to them, and probably rightly so, than our trying to tell them how 103 people sit around this Legislature and talk about stuff. So I am very reluctant to have those kinds of decisions made in this Legislature. I think the local community should make them, and the local school boards.

The next one that sort of bothered me a little was, "adopt and implement measures specified in the regulation to encourage involvement by parents of pupils of the board in education matters specified in the regulation." We already have those. We call them parent councils. I don't know what this is doing in here, but it allows the Lieutenant Governor in Council to regulate those parent councils and to tell those parent councils what they can look at and what they can in fact, in reality, say and comment upon. It's free speech. They can probably say anything they want. But to actually have an impact—this seeks to circumscribe that somehow, and I have no idea. My learned friend opposite is showing that that can make them say and do more, but I doubt that; I really doubt that. You don't need to put it in regulation. People will naturally say whatever they want to say, and where it is put into legislation it almost always shrinks those rights, because without putting it in legislation, people are free to say and do virtually anything they want.

We have here "adopt and implement measures specified in the regulation with respect to the provision of special education services by the board." The one that comes readily to mind is that of English as a second language. I know there are many services, but ESL—we know that the funds for ESL have been shrinking in places like Toronto. We certainly have complaints about ESL shrinking, especially for people who are not of school age, for new immigrants who are coming forward, trying to learn English. It is my belief that they have every bit as much right to the school system as children do. We have seen that. I don't know what this is there



for, I have to tell you, because I have no choice once this bill is passed. The Lieutenant Governor in Council will have entire choice on this section, and I fear it's going to further circumscribe the board's role to be able to adequately look after programs like ESL, particularly ESL for adults.

1730

The next one is a beauty: "adopt and implement measures specified in the regulation to promote the health of the board's pupils." Is this to deal with the obesity problem of our children?

*Interjection.*

**Mr. Prue:** It could be. I'm hearing that. Okay, that's to deal with the obesity problem. So the cabinet is going to make regulations telling the school boards, "You're no longer involved. We're going to decide whether or not the children are obese. School A over here has too many fat kids. School B over here has fewer fat kids. We are going to regulate this board because you have too many fat kids." That's what I'm hearing—my learned friend opposite is shaking his head in the affirmative—and this troubles me. We all have to be worried about the problem of obesity, we all have to worry that kids aren't getting enough exercise, but here it is left to the Lieutenant Governor in Council, 20 people sitting in this room, to determine whether or not it is appropriate or whether or not one school board has an obesity problem.

Then I look down at the next one: "adopt and implement measures specified in the regulation to promote the safety of the board's pupils and staff." The first thing that came to my mind was the no-tolerance policies of many of the boards. Is this to tell the boards that they have to get out of the no-tolerance policy or is this to tell them they have to make it even tougher? The fact is that we don't know, and we'll never know. The day I'll know about it is when the regulation is published in the Gazette and the minister and/or the cabinet makes the decision and tells us, "This is the way it's going to be." This Legislature will have no say whatsoever in that, because once this bill is passed and once the majority has their way—when I'm finished speaking—that's precisely the power you're giving to one individual or to 20 individuals, and I have some very real problems with that. I have some very real problems because I think the local school boards, in conjunction with the parents and the communities, are in a far better way to know whether or not there is a zero tolerance policy, whether kids ought to be allowed back into the school, whether there should be an opportunity or alternative places for them to go if there is a violent nature. All of that needs to be looked at.

We know what happened with the last government. The zero tolerance policy has had a huge detrimental effect on people in the inner city. It's had a huge detrimental effect on children of colour. It's had a huge detrimental effect on poorer communities. We have seen in some school boards where 30%, 40% and 50% of the kids have been subject to discipline under this policy.

**Mr. McMeekin:** We need zero tolerance for poverty.

**Mr. Prue:** He said, "We need zero tolerance for poverty," and I agree with the honourable member. Perhaps he should be over here more often fighting for it instead of defending it there.

Last but not least in the things that troubled me was in the next clause, 11.1(3)(a), which is to "specify outcomes for elementary school pupils relating to improved literacy and numeracy." The only thing I can think about here is EQAO. That's what it has to be, but again I have no idea. Once this regulation is passed, the minister and the cabinet can do whatever they want. It isn't that they're going to get rid of it, because it would be very simple to have put that in the legislation. It is that they can define it, they can change it, they can alter it, they can make it worse, they can make it better, and I have no way of controlling that, nor does anyone else in this Legislature. We are fundamentally giving up the right to a group of either one or 20 individuals to do, right now, what this Legislature has done or, right now, what an entire school board system across this province has taken upon itself. I think this is a detrimental step. In spite of what is contained in the rest of the legislation, in spite of what I have said are some good provisions of this legislation, what is contained in this particular section causes me considerable grief.

Just to close, again—I promise that I'm going to get people out of here. Subsection 11.1(1) says, "The Lieutenant Governor in Council may make regulations prescribing, respecting and governing the duties of boards, so as to further and promote the provincial interest in education."

That's what this is all about; that's what this bill is all about. It is about centralizing and taking away the rights of our duly elected people across this province to do what is in the best interests of their local community and the children who live there. Whether or not a better job is going to be done here around the cabinet table than is being done in all the local communities, only time will tell. I am afraid that it will not be, because no one sitting here in Toronto can know what it's like in Oxford or in Haliburton or in Peawanuk. They can't know what it's like in Ancaster; they can't know what it's like in Markham. The people I'm seeing here cannot know every single neighbourhood and every single community, the wants and desires of the people who live there. We are giving up something that has been very precious and has worked very well for over 100 years in Ontario.

I cannot support the bill because I don't know in the long term who the minister is going to be. I don't know whether you're even going to be in government a year from now. But this bill will be here. Remember that. Anyone who becomes the minister can use this bill, and any cabinet can use this bill to shape education in a way that—people over there think they know what's going to happen, but anyone who takes power in this province will have the full authority that is being granted here today. This is extremely nebulous and in the long term can do a great deal of harm to the children of this province.

**The Acting Speaker:** Question and comments?



**Mr. Berardinetti:** I want to commend the member from Beaches–East York for a thorough criticism of the bill. I think there are some questions that only time will tell, whether or not these sections of the bill and these changes that are being proposed will work. But the government is bringing forward a vision. It wants to look at four main themes: teaching excellence, new responsibilities for the boards and the ministry, partnerships in education based on respect, and openness to the public.

I just want to mention that I recently had a conversation with a restaurant owner in my riding who has been there for a long time. I know my colleague Bas Balkissoon knows him as well. His name is Jack Mandos. Jack was saying to me the other day, “Lorenzo, what are you doing about students? What are you doing about the young people of Ontario? What are you doing to help and promote education as an MPP?” I know he’s watching right now because we watch these debates and takes a lot of interest in what’s happening in Ontario. Jack Mandos would want to know, what are we doing?

We’re bringing forward a bill that is doing a lot to try to reach targets and goals that this government agreed it wanted to do before it got elected. The government wants to reach a target of 75% of 12-year-olds achieving the provincial standard by the year 2008, which is not that far down the road. It wants 85% of high school students graduating by 2010. Those are key goals and this bill helps to achieve that.

Also, more than two million students across the province are benefiting from an unprecedented four-year period of peace and stability and enhanced teaching excellence. We don’t have the fights we used to have and used to see on TV all the time between the province and the teachers. There’s peace and hopefully growth that will come from this bill.

**Mr. Norm Miller (Parry Sound–Muskoka):** I’m pleased to have a couple of minutes to comment on the speech from the member from Beaches–East York. I note that our education critic spoke earlier in the day, and he had an opportunity to get on the record that the former member from Muskoka, Ken Black, just in the recent week wrote an article on this very bill, on the issue of giving control of the college of teachers over to the teachers’ federation. He writes from a very unique perspective. First of all, he’s a former Liberal MPP from Muskoka, back in the Peterson government. Before that, though, he was my principal at Bracebridge and Muskoka Lakes Secondary School. Before that, I believe he also taught.

He has written a very good article. He’s basically saying that the government should not pass this bill and that it’s very important that the college of teachers remain independent. I think that from that unique perspective it really points out why we, in the opposition, feel we cannot support this bill. It’s going to be a bad thing for the kids of this province and is not going to help anyone, except perhaps the union.

I note that at the end of his article he says, “There will be those who will criticize the McGuinty government for

breaking another election promise if they fail to pass Bill 78 as written. I believe that far worse than breaking an election promise is keeping a promise that is not in the best interests of the people the government is elected to serve. As written, Bill 78 is in that category....”

We will be voting against this bill. I note that three past education ministers from all three parties feel the same way.

**The Acting Speaker:** Further questions and comments? Response?

**Mr. Prue:** I had hoped it might have elicited a little more response than that, but I will thank the member from Scarborough Southwest and the member from Parry Sound–Muskoka for their comments.

The member from Scarborough Southwest talked about the bill, and that only time will tell, and I’m sure it’s true of any bill as to how it’s going to unfold, but he did not deny, and I thank him for that, the possibility that, once encumbered, once taken over by the cabinet, once the Lieutenant Governor in Council has control of it, it could head literally in any direction.

That’s the point I was trying to make and what I was trying to reiterate, that it could literally take any direction. It will be outside the bounds of this Legislature to try to give effect, or to try to say, “All we can do in the opposition is criticize when something goes wrong.” But it is the making of the bill itself that gives the greatest opportunity for all members of the House to have input into how and the ways in which we are governed.

What we are doing by virtue of this bill is ceding that responsibility to a small group of men and women who are within a cabinet at any given time. We know that cabinets change, we know that governments change, but this bill will not, and how it is used by those small groups of people will no longer be within our realm to negotiate, and it will certainly be outside of the realm to negotiate of the ordinary parents and students and school boards in this province, because what is being taken over is fundamental to the school boards and the way they have operated for a long time.

I am very, very sad that we do not have faith in our school boards, in the people who run them and in the process that has served us so well for all these years. All I can do is tell you that I don’t think I can vote for this when it comes to a vote in a couple of minutes, but I’m sure that with the majority it will pass.

**The Acting Speaker:** Any further debate? Reply by the minister?

Mr. Peters has moved third reading of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers’ Act, 1996 and certain other statutes relating to education. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Call in the members. There will be a 30-minute bell.

*The division bells rang from 1743 to 1813.*



**The Acting Speaker:** All those in favour of the motion will please rise.

**Nays**

Bisson, Gilles  
Hardeman, Ernie  
Klees, Frank

Marchese, Rosario  
Miller, Norm  
Prue, Michael

Scott, Laurie  
Witmer, Elizabeth

**Ayes**

Arthurs, Wayne  
Balkissoon, Bas  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bradley, James J.  
Cansfield, Donna H.  
Caplan, David  
Delaney, Bob  
Dhillon, Vic  
Dombrowsky, Leona  
Duguid, Brad  
Flynn, Kevin Daniel

Fonseca, Peter  
Gerretsen, John  
Jeffrey, Linda  
Kular, Kuldip  
Kwinter, Monte  
Leal, Jeff  
Marsales, Judy  
McMeekin, Ted  
Milloy, John  
Mossop, Jennifer F.  
Oraziotti, David  
Peterson, Tim

Pupatello, Sandra  
Qaadri, Shafiq  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Smitherman, George  
Takhar, Harinder S.  
Van Bommel, Maria  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Acting Speaker:** All those opposed to the motion will please rise.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 36; the nays are 8.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It being past 6 of the clock, this House stands adjourned until Monday, June 5, 2006, at 1:30 p.m.

*The House adjourned at 1816.*



## TABLE DES MATIÈRES

**Jeu**di 1<sup>er</sup> juin 2006

### **AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

<b>Loi de 2006 modifiant le Code de la route (limites de vitesse), projet de loi 115, M<sup>me</sup> Scott</b>	
Adoptée.....	4251

### **PREMIÈRE LECTURE**

<b>Loi de 2006 modifiant des lois en ce qui a trait à la protection contre l'incendie, projet de loi 120, M. Prue</b>	
Adoptée.....	4254

### **DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

<b>Mois de sensibilisation à la surdi-cécité</b>	
M <sup>me</sup> Meilleur .....	4254
M <sup>me</sup> Witmer .....	4256

### **TROISIÈME LECTURE**

<b>Loi de 2006 modifiant des lois en ce qui concerne l'éducation (rendement des élèves), projet de loi 78, M<sup>me</sup> Papatello</b>	
Adoptée.....	4286



# CONTENTS

Thursday 1 June 2006

## PRIVATE MEMBERS' PUBLIC BUSINESS

### Ontario character

Mr. Wong .....	4235, 4242
Mr. Klees .....	4236
Mr. Kormos .....	4238
Mr. Ruprecht .....	4238
Ms. Scott .....	4239
Mr. Prue .....	4239
Mr. Leal .....	4241
Mr. Brownell .....	4241
Agreed to .....	4250

### Highway Traffic Amendment Act (Speed Limiters), 2006, Bill 115,

<i>Ms. Scott</i> .....	
Ms. Scott .....	4242, 4250
Mr. Ruprecht .....	4244
Mr. Hardeman .....	4245
Mr. Prue .....	4246
Mr. McNeely .....	4248
Mr. O'Toole .....	4249
Agreed to .....	4251

## MEMBERS' STATEMENTS

### Kids' Fishing Day

Mr. Ouellette .....	4251
---------------------	------

### Italian National Day

Mr. Sergio .....	4251
------------------	------

### Pharmacists

Mr. O'Toole .....	4251
-------------------	------

### Events in Chatham-Kent Essex

Mr. Hoy .....	4252
---------------	------

### Child care

Mrs. Munro .....	4252
------------------	------

### Volunteers

Mr. Parsons .....	4252
-------------------	------

### Forest industry

Mr. Bisson .....	4253
------------------	------

### Tetyana Rogolska

Mr. Wong .....	4253
----------------	------

### Tobacco industry

Mr. Craiton .....	4253
-------------------	------

## REPORTS BY COMMITTEES

### Standing committee on justice policy

Mr. Dhillon .....	4254
Report adopted .....	4254

## FIRST READINGS

### Fire Protection Statute Law

#### Amendment Act, 2006, Bill 120,

<i>Mr. Prue</i> .....	
Agreed to .....	4254
Mr. Prue .....	4254

## STATEMENTS BY THE MINISTRY AND RESPONSES

### Deaf-Blind Awareness Month

Mrs. Meilleur .....	4254
Mrs. Witmer .....	4256

### Injured Workers' Day

Mr. Peters .....	4255
Mrs. Witmer .....	4256
Ms. Horwath .....	4257

## ORAL QUESTIONS

### Air quality

Mr. O'Toole .....	4258
Mr. Duncan .....	4258

### Street racing

Mr. Klees .....	4258
Mrs. Cansfield .....	4259

### Child care

Mr. Hampton .....	4259
Mrs. Chambers .....	4259, 4262
Mrs. Van Bommel .....	4262

### Ontario Immigrant Investor Corp.

Mr. Hampton .....	4260
Mr. Cordiano .....	4260, 4265
Mr. Klees .....	4265

### Native land dispute

Mr. Runciman .....	4261
Mr. Phillips .....	4261

### Injured workers

Ms. Horwath .....	4262
Mr. Peters .....	4262

### Waste diversion

Ms. Scott .....	4263
Ms. Broten .....	4263

### Child protection

Ms. Horwath .....	4263
Mrs. Chambers .....	4264

### Community safety

Mr. Racco .....	4264
Mr. Kwinter .....	4264

### Education funding

Mr. Marchese .....	4265
Ms. Pupatello .....	4265

### Arts education

Mrs. Mitchell .....	4266
Ms. Di Cocco .....	4266
Ms. Pupatello .....	4266

### Fish and wildlife program funding

Mr. Miller .....	4266
Mr. Phillips .....	4267

## PETITIONS

### Passport office

Mr. Tascona .....	4267
-------------------	------

## Trade development

Mr. Leal .....	4267
Mr. Kular .....	4268

## Long-term care

Mrs. Witmer .....	4267
-------------------	------

## Teachers' labour dispute

Mr. Miller .....	4268
------------------	------

## Child care

Mr. Berardinetti .....	4268, 4270
------------------------	------------

## Gasoline prices

Mr. Tascona .....	4268
-------------------	------

## Rent regulation

Mr. Berardinetti .....	4269
------------------------	------

## Spring bear hunt

Mr. Arnott .....	4269
------------------	------

## Non-profit housing

Ms. Wynne .....	4269
-----------------	------

## Speech and language services

Mr. Hardeman .....	4269
--------------------	------

## THIRD READINGS

### Education Statute Law Amendment Act (Student Performance), 2006,

#### Bill 78, *Ms. Pupatello*

Mr. Klees .....	4270, 4277
Ms. Horwath .....	4276, 4278, 4282
Mr. Leal .....	4277
Mrs. Witmer .....	4277
Mr. Berardinetti .....	4277, 4281, 4285
Ms. Scott .....	4281
Mr. Prue .....	4281, 4282, 4285
Mr. McMeekin .....	4281
Mr. Miller .....	4285
Agreed to .....	4286

## OTHER BUSINESS

### Visitors

The Speaker .....	4253, 4257
Mr. Berardinetti .....	4268

### Business of the House

Mr. Caplan .....	4270
------------------	------

Continued overleaf





No. 84A

N° 84A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 5 June 2006**

**Lundi 5 juin 2006**



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### NATIVE LAND DISPUTE

**Mr. Jim Wilson (Simcoe–Grey):** I rise in the House today to condemn the McGuinty Liberals for waiting until day 42 of the Caledonia standoff to even acknowledge the situation as a provincial issue. To illustrate this, I will now read excerpts from a letter e-mailed to the Premier by a local resident:

“Dear Mr. McGuinty:

“Today is the first day that my children have been allowed to return to school. I am attempting to clean this past week out of my house and assess the physical and personal cost to this family. My husband took another day off work on Tuesday to attend to us, his wife and children, in an effort to assuage our fears and offer at least an ounce of comfort.

“Why, sir, as an elected official of the Liberal Party and the Premier of Ontario that we voted for, can you not offer the same?

“We don't expect that you would be able to move mountains to solve a 200-year-old dispute, but we do expect that you would, at the very least, try. You should speak to us, not the TV camera, not the reporter, not the microphone, not to history (you'll write your own). Speak to us, the people who entrusted you with power....

“I'm not sure how much more the people of Haldimand county can take. We have done what you've asked: We were patient, patiently awaiting information and direction from you. Not David Peterson, not Monte Kwinter, not David Ramsay, sir, you. In the absence of leadership, there is anarchy. And if saying nothing to the residents that live here is the best can you do, then your best is not good enough....

“Please respond. The silence is deafening.”

I couldn't have said it better myself.

#### PATRICK 4 LIFE CAMPAIGN

**Ms. Monique M. Smith (Nipissing):** Next Sunday, June 11, North Bay will be the host of the first annual Patrick 4 Life Run Walk 4 Patrick Family Fest. This event is designed to spread awareness about HIV/AIDS and to raise funds to further AIDS education in the

community. The family fest is co-chaired by 13-year-old Jerri Clout, a grade 8 student at Our Lady of Fatima, and the mayor of North Bay.

Olympic medalist Jeffrey Buttle is the celebrity runner, and the event promises to be a fabulous day. More than 300 people have already registered for the family fest, with about 500 marathoners, walkers and wheelchair users expected. Pledges will go to the North Bay and district AIDS committee.

The goal of the Patrick 4 Life campaign is to establish AIDS education in the school system and to focus attention on the impact of HIV/AIDS.

Patrick Fortin was a brave young man who put a face to HIV/AIDS in North Bay. After contracting HIV through tainted blood products at a very young age, Patrick and his parents, Christine and Christian, decided to live a public life, educating others about the disease that changed their lives forever. Last year, in five short months, the Fortins, with the help of almost 200 supporters, raised \$70,000 for the Philip Aziz Centre, Canada's first hospice for children fighting AIDS.

Last Friday, our Minister of Health and Long-Term Care, George Smitherman, came to North Bay to lend his support. He allowed his head to be shaved and, in the process, raised close to \$10,000 in support of Patrick 4 Life, our soup kitchen and the Cancer Society. At the same time, he dropped off some very good news for the community of Mattawa. It was a banner day in my riding.

The Run Walk 4 Patrick is this coming Sunday, and I would encourage all North Bayites to come out and share in the fun and the walk and the healthiness, and to go to [patrick4life.org](http://patrick4life.org) to get more information.

#### NATIVE LAND DISPUTE

**Mrs. Christine Elliott (Whitby–Ajax):** I rise today in the Legislature, on behalf of the official opposition, to make exceedingly clear to the government just how badly the crisis in Caledonia has affected the everyday lives of community residents. To illustrate this point, I wish to read an excerpt from a letter addressed to the Premier from a concerned resident.

This resident writes: “Jobs have been lost in the community. This hurts families and the entire town. Children living near the blockade are sleeping poorly every night and are not able to play in their own backyards by day. Families as a whole are under tremendous stress and pressure, both emotionally and physically, as people of all ages are finding it very difficult to cope with the

ongoing uncertainty of what will happen in this traditionally 'safe and welcoming' community.

"Road and rail track closures are causing local businesses and industry in the surrounding communities to struggle to connect with suppliers and customers. The lack of access to Port Dover, Hagersville and Simcoe on Highway 6 is keeping people away from Caledonia in droves. Businesses in town are losing money at a rate that challenges their ability to stay open; townspeople have less income to spend, and visitors to the community are few and far between. The Victoria Day weekend is the traditional start of the summer business boom, and the roads and the towns are virtually empty of tourists and vacationers.

"It is not just the blockade itself that worries us. It is the safety of all that travel as well. Forcing detoured cars onto McKenzie Road, a two-lane winding rural route, has slowed the flow of traffic, both commercial and local, to a frustrating crawl....

"It is time for you to take action. Please make the time to struggle with the issue of the day."

#### MARY POCIUS

**Ms. Andrea Horwath (Hamilton East):** Today I was proud to attend a ceremony honouring citizens of distinction, including Hamilton's own Mary Pocius. Mary Pocius received the 2006 local hero award from the prestigious Canadian Urban Institute. The award is given to individuals who have had a profound and lasting impact on the quality of life in their neighbourhoods.

Nominated by the Hamilton-Burlington Society of Architects, Mary Pocius is an amazing woman. Born and raised in Hamilton, her name has become synonymous with the revitalization that's happening in Hamilton's downtown area. As executive director of the International Village business improvement area since 1989, Mary has had a role in almost every policy change that has benefited the downtown in the past decade. She chaired the committee that produced the blueprint for Hamilton's transformation.

1340

Hamilton's downtown turnaround has largely occurred through Mary's vision, energy, passion and long-time dedication to our city. Downtown festivals, cultural resurgence, reclamation of public spaces through people-friendly urban renewal projects: Downtown Hamilton has experienced a remarkable image makeover, largely thanks to Mary.

The annual Mustard Festival, which attracts thousands of people to the Hamilton downtown every Labour Day weekend, is more evidence of Mary's personal imprint. More than a community mover and shaker, more than an optimistic go-getter with energy to burn, Mary is a visionary whose love of community and relentless focus on achieving positive results bring enormous benefit to Hamiltonians and the local economy of our city.

I'm sure the Legislature would want to join me this afternoon in wishing Hamilton's Mary Pocius our hearti-

est congratulations. When city council honoured Mary for her achievements recently, she quoted her inspirational hero, the late Jane Jacobs, with these words: "Never, never underestimate the power of high hearts when they are combined with principled, unyielding will."

#### LALI VIJ

**Mr. Shafiq Qaadri (Etobicoke North):** Last week marked a very sad anniversary which has left a void in the hearts of many Ontarians, especially those from the South Asian community. For 23 years, Mr. Lali Vij was celebrated as one of Toronto's most popular and prominent South Asian radio and television broadcasters, producing, for example, the Sounds of Asia TV program, first on Global from 1979 to 1984, and then on to Citytv. He was also instrumental in the Voice of India radio programs.

These were progressive elements of the ethnic offerings of CHIN Radio and TV International. However, on the night of Tuesday, May 28, 1991, Mr. Vij, who had dedicated a great deal of his life to the betterment and entertainment of the province's ever-growing ethnocultural communities, became one of Ontario's most prominent victims of gun violence when he was ruthlessly assassinated in the parking lot his downtown Toronto studio.

On the 15th anniversary of this unfortunate passing, it is my hope that the House and the province will join me in extending deep sympathies and best wishes to the family, who join us today in the Speaker's gallery—Mr. Vick and Ruchi Vij, as well as Mr. Sameer Thaver—and to all those who hold a special place in their hearts for this truly great Ontarian.

Mr. Vij, both the man and his contributions, have made a lasting, resonant impression on the South Asian ethnocultural communities, and his death reminds us that the problem of gun violence and violence in general is yet to be solved.

#### NATIVE LAND DISPUTE

**Ms. Lisa MacLeod (Nepean-Carleton):** Occupied land, roadblocks, hostile standoff: Does this sound like a normal day's activity in a small rural Ontario town to you? Unfortunately, these have become the mainstay activities in Caledonia and Six Nations. That's small-town Ontario, might I remind you, where soccer games, community fairs and kids playing hockey should be the rule rather than the exception. Children are living in fear, tensions are rising by the day and the only politicians who have taken a leadership role on the protest from the beginning have been Toby Barrett and John Tory. In fact, every day, citizens feel they need to speak to the opposition because they are getting nowhere with the McGuinty government.

One resident writes to Mr. Barrett, "This should never have happened and could have been avoided had the



government done something three months ago when this started.”

Another adds, “Too bad we haven’t anyone else in government that cares.... Why are regular Caledonians omitted from negotiations and information—I guess the government can’t answer that either.”

Never has the McGuinty government taken a direct management role to resolve the dispute at Caledonia, never has the McGuinty government taken the necessary steps to communicate to the residents of Caledonia and Six Nations, and never has the McGuinty government offered to seriously study land claims before chaotic and aggressive confrontations turned into occupied lands, roadblocks and a hostile standoff like we have today in Caledonia. Isn’t it about time that soccer games, community fairs and road hockey were once again part of the normal routine in Caledonia?

#### DAIMLERCHRYSLER

**Mrs. Linda Jeffrey (Brampton Centre):** Last week several of my colleagues—namely, Bob Delaney, Kevin Flynn, Kuldip Kular, Dave Levac, Deb Matthews, Phil McNeely, Khalil Ramal and John Wilkinson—and I had a chance to tour DaimlerChrysler’s assembly plant.

DaimlerChrysler has been a pillar of the automotive industry in Canada for over 78 years. They are the third-largest manufacturer and wholesaler of passenger cars, trucks and automotive components in the Canadian auto industry. The 2.95-million-square-foot state-of-the-art facility in Brampton employs over 4,200 Ontarians. The plant is equipped with 581 advanced robots and is currently the only production location for the Chrysler 300, the Dodge Magnum and the Dodge Charger.

During our visit, the auto caucus had an opportunity to see the assembly line produce cars from start to finish. We listened to the concerns of the members of the Canadian Auto Workers and had the honour of speaking with president Steven Landry, who applauded our government’s dedication and commitment to the auto sector.

Our government has made key investments in the automotive sector to strengthen Ontario’s globally competitive skilled workforce and develop innovative auto assembly technologies. Last year, our government invested \$76.8 million through the Ontario automotive investment strategy. This investment supported establishing third-shift operations and skills training at the Brampton facility.

We’re grateful for the opportunity to partner with the automotive industry, and thank DaimlerChrysler for their investment and faith in Ontarians.

#### GODERICH ROYAL CANADIAN LEGION

**Mrs. Carol Mitchell (Huron–Bruce):** Last week, I had the opportunity to make an announcement with the Royal Canadian Legion Branch 109 in Goderich. The Goderich Legion received a grant for \$32,000 over one

year from the Ontario Trillium Foundation to upgrade their facilities to make the Legion more accessible for the many different people who participate in a variety of community activities.

The Legions are very important to many people across this province. I know that the volunteers and the members of the community were extremely pleased to receive this funding, because it will allow them to continue to provide the services that make our communities strong. There are many barriers to accessibility that people have to face, and I’m very pleased to be a part of a government that is tackling those barriers. I would like to thank the Goderich Legion for being proactive and upgrading their facility and addressing the needs of our whole community.

I would be remiss if I did not thank the volunteers who work so hard on our Trillium Foundation boards identifying needs in our communities, and for the volunteer time they put into board activities and also taking time to make those announcements. They provide a vital component in building strong communities.

#### POLICE SERVICES BOARDS

**Mr. Brad Duguid (Scarborough Centre):** On behalf of all members of the House, I’d like to extend to Olga Duguid, my mother, who I know is watching, a happy birthday today.

Now that I’ve taken about 15 or 20 seconds of my statement, I’d better read quickly.

This government is on the side of Ontario families concerned about crime and safety. We’re on the side of police, who keep our communities safe. We’re also on the side of the men and women who serve on police services boards in municipalities across this province.

Last week, members of this House were pleased to welcome the Ontario Association of Police Services Boards to Queen’s Park for its annual lobby day. This organization represents 126 police services boards throughout the province, providing advocacy and timely communication of these boards’ concerns and issues.

Police services boards certainly do play a vital role in maintaining public safety in the province of Ontario. The boards’ jobs are challenging. As trustees of the public interest in policing, they must provide strong governance and oversight in order to ensure that police, the public and other stakeholders effectively communicate and co-operate with each other, making sound decisions in policy and practice and keeping our streets and communities safe.

The discussions last week covered a wide range of topics. I know that the concerns the OAPSB brought to the table provided a great deal of insight to other participants, and their contributions were very much appreciated. On behalf of the government, I want to express gratitude to all members of police services boards across the province for the good work that they do.

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
THE LEGISLATIVE ASSEMBLY

**Mr. Bob Delaney (Mississauga West):** I beg leave to present a report from the standing committee on the Legislative Assembly, pursuant to standing order 109(b).

**The Speaker (Hon. Michael A. Brown):** Mr. Delaney has moved the committee's report. Does the member wish to make a brief statement?

**Mr. Delaney:** This report merely assigns the new Ministry of Small Business and Entrepreneurship to the standing committee on general government.

**The Speaker:** Pursuant to standing order 109(b), the report is deemed to be adopted by the House.

## MOTIONS

## CONSIDERATION OF BILL Pr27

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I seek unanimous consent to move a motion without notice respecting the advertising requirement for a certain private bill.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, at the request of the applicant, standing order 80(e), concerning publication of notice of an application for a private bill, and standing order 87, respecting notice of committee hearings, be waived with respect to Bill Pr27, An Act respecting Thunder Bay International Airports Authority Inc.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, June 5, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1352 to 1357.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Arthurs, Wayne  
Barrett, Toby  
Bentley, Christopher

Hardeman, Ernie  
Hoy, Pat  
Jackson, Cameron

Pupatello, Sandra  
Qaadi, Shafiq  
Racco, Mario G.

Berardinetti, Lorenzo  
Bradley, James J.  
Brotten, Laurel C.  
Brownell, Jim  
Cansfield, Donna H.  
Chambers, Mary Anne V.  
Colle, Mike  
Crozier, Bruce  
Delaney, Bob  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Elliott, Christine  
Flynn, Kevin Daniel

Jeffrey, Linda  
Kular, Kuldip  
Kwinter, Monte  
Levac, Dave  
MacLeod, Lisa  
Marsales, Judy  
Matthews, Deborah  
Mauro, Bill  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
O'Toole, John  
Oraziotti, David  
Parsons, Emie  
Peters, Steve  
Phillips, Gerry

Rinaldi, Lou  
Sandals, Liz  
Smith, Monique  
Smitherman, George  
Takhar, Harinder S.  
Tascona, Joseph N.  
Tory, John  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wilson, Jim  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Bisson, Gilles  
Horwath, Andrea  
Marchese, Rosario

Martel, Shelley  
Murdoch, Bill  
Prue, Michael

Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 56; the nays are 7.

**The Speaker:** I declare the motion carried.

## VISITORS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I would like members of the Ontario Legislature to join me in welcoming a grade 6 class along with their parents, chaperones and teachers from Port Weller Public School in St. Catharines.

They are here today because they won the contest to name the boring machine which will create the new tunnel at the Niagara Falls Beck hydroelectric generating station. They called it Big Becky, and the slogan they have on their T-shirts—we usually don't allow people to wear T-shirts in the House, but because they won and, by the way, got a \$1,000 cheque as well from OPG—says, "Big Becky Digs It." They are in the gallery today. Please welcome them.

## ROYAL ASSENT

## SANCTION ROYALE

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** The following are the titles of the bills to which His Honour did assent:

Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation

Bill Pr 24, An Act respecting the City of London.



## STATEMENTS BY THE MINISTRY AND RESPONSES

### HATE CRIMES

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I rise today to speak about two events that transpired over the weekend. On Friday and Saturday, the Ontario Provincial Police, the RCMP, several intelligence services and four Toronto-area police services conducted raids that resulted in the arrests of an alleged terrorist cell in the greater Toronto area. I want to commend all those services that participated in this operation.

While a police investigation is continuing, we know that at some time between 11 p.m. Saturday and 3 a.m. Sunday, the International Muslim Organization of Toronto mosque in Rexdale was vandalized and 28 windows were broken. Fortunately, no one was hurt and the inside of the mosque was not damaged.

I speak on behalf of all members of the McGuinty government, and I'm sure all citizens of Ontario, in condemning this cowardly act.

As the Premier said in the statement he issued on the weekend, Ontarians should not and must not judge each other by race, ethnicity or religion. Ontario is home to families from every corner of the world, and that helps our economy thrive and gives us a high quality of life. We are better because of our diversity. I urge all Ontarians to unite against those who attempt to divide us.

Ontario's strength comes from the diversity of its people. We will continue to fight hatred and intolerance in all its forms, and we will renew our commitment to protect everyone from intolerance and hate.

I urge all Ontarians to rise above the behaviour exhibited on the weekend and, in the Premier's words, "to speak with one voice" in deploring racism, hatred and violence.

### CONSTRUCTION LABOUR MOBILITY

**Hon. Steve Peters (Minister of Labour):** Last Friday I had the honour and pleasure of signing an agreement with my counterpart from Quebec, Labour Minister Laurent Lessard. The agreement resolves years of disputes between our two provinces regarding construction mobility—disputes that previous governments simply could not fix.

This agreement marks a new era of co-operation and fairness between Ontario and Quebec. It paves the way for increased long-term prosperity for our two great provinces and our country. This resolution is largely due to the hard work of our negotiators and ministry staff on both sides of the border.

I'd like to take this opportunity to congratulate Chris Brecht, who represented Ontario, and Réal Mireault, who represented Quebec. Their hard work and diligence in successfully brokering the at times contrary interests of

their provinces have led to this historic agreement. They deserve our thanks and our accolades.

I would be remiss if I did not mention the hard work and perseverance of the member from Glengarry—Prescott—Russell, Jean-Marc Lalonde. Mr. Lalonde has been a strong advocate for the resolution of this long-standing issue. He has consulted with local contractors and workers to ensure that the views of eastern Ontarians have been heard at the table throughout the negotiating process.

This agreement would also have not been possible without the direct input from our construction stakeholders in eastern Ontario: contractors and workers. Our government worked closely with them, listening to their concerns and addressing the issues they face.

We achieved a fair deal for Ontario. This agreement breaks down barriers for Ontario contractors and their employees who want to work in Quebec. Our construction contractors and workers will have greater access to contracts and jobs in Quebec, including access to Quebec crown corporations and Hydro-Québec contracts. Previously, Ontario contractors generally had no access to Hydro-Québec. This has been a major achievement for us.

In addition, Ontario construction workers who are qualified but not certified will now have the opportunity to qualify for trade activity cards from Ontario. These cards will be recognized by Quebec, and these workers will be able to accompany their employers to work anywhere in Quebec. Previously, these workers could only accompany their employer in the Hull-Gatineau region of Quebec. This, too, is a major achievement.

With this agreement, Ontario contractors will have province-wide access, at a \$100,000 threshold, for construction contracts with Quebec's liquor board and lottery agency. To forestall future disagreements, we have put in place an expedited process to resolve disputes concerning the qualifications of workers and contractors.

These are significant improvements for Ontario's construction contractors and workers. For our part, we have undertaken to repeal the Fairness is a Two-Way Street Act. With the repeal, Quebec contractors will no longer be required to register with the jobs protection office in Ottawa and will again be permitted to work on Ontario government and broader public sector contracts.

Both of our provinces have signed this agreement in good faith, and I have every expectation that both provinces will live up to the agreement's requirements.

The jobs protection office will provide advice and assistance to Ontario contractors and workers who wish to work in Quebec. It will be our liaison with Quebec on the issue of construction labour mobility and will monitor the success of the agreement. Among other functions, the office will spearhead our government's efforts to combat the underground economy in construction in eastern Ontario. The underground economy threatens health and safety, undermines labour standards and erodes construction quality.

Our government has taken a number of steps to combat the underground economy in construction through



enhanced health and safety enforcement. This includes allowing Ministry of Labour inspectors to issue on-the-spot tickets if written proof of trades qualifications under the Trades Qualification and Apprenticeship Act is not provided.

Further, I recently announced a consultation on a proposal to extend mandatory workplace safety and insurance coverage to most people who work in construction. Extending mandatory coverage to construction workers would make it more difficult for individuals and employers to hide underground economic activities. It would also bring a significant portion of the workers in the construction sector under the protection of the workplace safety and insurance system.

Last Friday was a historic day for both Ontario and Quebec. The agreement I signed with the Quebec Minister of Labour signifies greater co-operation, greater opportunity and greater access. It's helping build a prosperous, long-term future for the construction industry in Ontario and Quebec. It is an integral element in the overall co-operation agreement signed by Premier McGuinty and Premier Charest.

#### MORE TO DISCOVER FUN PASS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** This morning I had the pleasure of announcing some great news for Ontario's 1.4 million school kids and their families.

My colleague Culture Minister Caroline Di Cocco and I went to the Ontario Science Centre to announce that our ministries would be distributing 1.4 million More to Discover fun passes to virtually every elementary school student in Ontario. The pass contains one free child's admission to each of 15 provincial attractions across Ontario and a discount on daily vehicle permits to all of our Ontario parks.

1410

All school boards in Ontario were invited to participate in the program. I'm happy to report that most of them did so, and the passes are being distributed over the next few weeks. The passes are valid from July 1 to September 4, so just as school gets out, our passes kick in for a summer of fun.

This is a pass to laughter, learning and wholesome activity for kids. It is a pass to an affordable summer for parents who want to plan activities for their kids that will not break the bank. It is an invitation for kids and their families and friends to discover Ontario.

We started the fun pass last year as a pilot project for students in five school boards. It is a success story from the Ontario public service ideas campaign. A thoughtful provincial employee wanted to help parents keep kids busy and active all summer long at a price that would make them happy, and that suggestion prompted the fun pass. In its pilot year, the fun pass exceeded anticipated participation by some 100%.

The pass was such a hit last year that we felt families across Ontario should be able to enjoy it. The Ontario

government is on the side of hard-working families, and we want to help them provide their children with a summer to remember. By giving families this incentive to visit our provincial attractions, we're also boosting local tourism in communities throughout Ontario. Families get to discover more of our beautiful province, and tourism operators can welcome more visitors who want to experience something new. We are delighted to be able to do this for Ontario's kids.

#### TEACHERS' PROFESSIONAL DEVELOPMENT

#### PERFECTIONNEMENT PROFESSIONNEL DES ENSEIGNANTS

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I think it's clear that our children are indeed our future. If our publicly funded education system is going to prepare them with the skills and knowledge needed to succeed in school and in life, we need to support the very people who make this happen: our teachers.

We're entering a newer era of education, and we need to recognize the important role that teachers play. We need to recognize our teachers as the role models that they are. We need to treat them with the respect that they so rightly deserve. We need to ensure that their passion for education, the spark that brought them to the job in the first place, is nurtured into a bright flame, because ultimately it's our children's future that they're firing up for us. Next to parents, it's our teachers who help our kids develop the skills to get good jobs and the capacity to enjoy life to its fullest.

The underlying principle for the government's approach to teacher development is that teachers must at all times be respected as professionals, deserving the same respect as other professionals. The biggest winners out of all of this are also the most important part of the education system, the estimated 2.1 million children who attend our schools, but teachers also benefit.

The McGuinty government is making education different, and part of how we are doing that is our continued support for teacher development. We stand for respect, and we're eager to be forming these partnerships to increase support to teachers and students. We recognize that as we ask more and more of our teachers, we must also support their training to help them develop specialized teaching skills. Better skilled and trained teachers means better education for students and continued success. The McGuinty government has always supported teacher development, and we believe we stand for respect.

Le gouvernement McGuinty a toujours appuyé la formation du personnel enseignant. Nous prôtons le respect.

At the end of the day, our approach of respect for teachers and their professional development means many more students will benefit from the latest teaching techniques and resources, including this coming September.



We've provided more than \$23 million to the Ontario Teachers' Federation, the Ontario English Catholic Teachers' Association, l'Association des enseignantes et des enseignants franco-ontariens, the Ontario Secondary School Teachers' Federation, the Elementary Teachers' Federation of Ontario and school boards to help them offer Ontario teachers more professional development. We have also provided \$3 million to the Ontario Educational Services Corp. so that they can offer training for non-teaching staff.

We're asking a great deal from Ontario's teachers. We're asking them to help boost reading, writing and math skills and to motivate and inspire their students, and all the while they're facing more challenges than ever before in the classroom. By our government supporting their professional development, we ensure our teachers are better prepared to recognize students' unique strengths and help our children reach their potential.

This government is committed to recruiting the best and the brightest to the teaching profession, because that's what our kids deserve. By treating our teachers with respect and supporting their professional development, we are encouraging teachers to be the best that they can be.

Notre gouvernement est déterminé à attirer les meilleurs éléments dans la profession, car c'est ce que méritent nos enfants.

I'm proud of the many hard-working, dedicated, exceptional teachers in this province, and I know that we all appreciate the selfless and important work they do every day on behalf of Ontario's students. Special congratulations to them.

### HATE CRIMES

**Mr. John Tory (Leader of the Opposition):** On behalf of the Progressive Conservative caucus, I rise to comment on the statement made by the Minister of Community Safety. I would join him in commending all of the police services involved for their hard work in connection with this operation, and I would join him as well, as it is our responsibility as leaders to do, to condemn the acts of vandalism that took place over the course of the weekend in respect of at least one mosque.

I had occasion to address this issue on CFRB last night, and I thought I might refer to some of the words I spoke at that time, because they certainly sum up the feelings of all of us here with respect to how we have to be vigilant regarding these matters. I said:

"I have also been to many of the mosques and met many members of the Muslim communities—not just in the mosques but in their daily lives; you run across, of course, people of the Muslim and Islamic faith all over the city. These are good, hard-working people. These are people who believe in peace. These are people who have a faith that is very strong, that supports family and peace and getting along with one another and respect for the law, and I think the other thing we have to make absolutely sure that we do at this time, when some will be

inclined to do things like we saw with the mosque up in Rexdale—we have to reach a hand of friendship out to the Muslim community and understand these are our fellow citizens. They are people who are working alongside us to build a strong Ontario."

As the minister said—and I join him in saying this—we have to rise above the temptation to label or divide people. We have to reach out the hand of friendship to all of our fellow citizens in Ontario and reaffirm our steadfast commitment to diversity, to understanding one another and to making sure that we continue to work hard—all of us—to build a society that is an example to all the world.

### CONSTRUCTION LABOUR MOBILITY

**Mr. Jim Wilson (Simcoe–Grey):** In response to the Minister of Labour, I would just say that the issue of labour mobility between Ontario and Quebec is certainly not a new issue; it's been around for quite some time. Each of the most recent governments had reached agreements in an effort to secure fair treatment for Ontario workers. I recall that when the NDP was in power, they reached an agreement which ultimately proved to be ineffective. The Harris government passed the Fairness is a Two-Way Street Act, which was tough legislation in an attempt to level the playing field between Ontario workers and their Quebec counterparts.

Today the minister has indicated that he's either going to repeal that act or let it sunset, but he's not saying what legislation he's going to bring in to protect Ontario workers. You simply can't have a protocol, as we had many, many years ago, and wish that there will be fairness for Ontario workers in the province of Quebec. It certainly doesn't work that way, and history doesn't show that it works that way.

You have an agreement. You say that you will eliminate unfair treatment for Ontario workers. I want to say on this side of the House that we remain unconvinced that this agreement will have any real, significant impact for Ontario workers. Already, we're hearing that the agreement does not go far enough to help Ontario workers, that the Quebec system remains far too regulated to consider this deal a real long-term solution.

I know that I and my eastern Ontario colleagues, in particular Bob Runciman and Norm Sterling, who have worked on this issue diligently for years, will be listening very closely to the individuals affected by this agreement and will continue to fight for real fairness for the people of Ontario.

### TEACHERS' PROFESSIONAL DEVELOPMENT

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'll just briefly respond to the announcement made by the Minister of Education regarding the teachers in the province of Ontario and the need for them, obviously, to have access to the professional development that is necessary.



However, I noticed one thing that was missing from her remarks today. She doesn't say anywhere in here that she is on the side of teachers. I don't know what's happened with the Minister of Education, but that's an omission from most statements.

We, on our side, would certainly agree that teachers play a very important role in the education of our young people. Certainly we know that a well-educated teacher, a better prepared teacher, has an enormous impact on the success of the children that he and she teach. We believe very strongly in the need for teachers to have access to professional development activities. It's our children who are the beneficiaries.

1420

### HATE CRIMES

**Ms. Andrea Horwath (Hamilton East):** In response to the Minister of Community Safety and Correctional Services, New Democrats agree that hate crimes need to be condemned and also dealt with swiftly and decisively. Liberals promised in 2003, "We will expand the number of hate crime units in the province." Thus far, about all we've seen from this government is a one-time \$200,000 investment in a database that was announced last August. What we really need to see is a lot more. The government should immediately expand its policing network to include all hate crime units across the province and to provide dedicated and sustained year over year funding to combat hatred and extremism.

What we hear from community groups and from police services is that the resources for dedicated hate crimes units simply aren't there. Many communities simply do not have a hate crimes unit. Many more have a unit that consists simply of one officer who is assigned to the task on a part-time basis. The bad news is that in Toronto alone, a total of 132 hate crimes were reported in 2005, of which 33 involved members of the Jewish community and 33 involved members of the black community. The good news? This is 19% less than the year before. The Toronto Police Service has been compiling hate crime statistics since 1993, and last year's tally of 132 was, in fact, the lowest number reported yet. What this shows, though, is that with real, dedicated resources, hate can be combatted. What we want is for the government to do more in that vein.

### CONSTRUCTION LABOUR MOBILITY

**Mr. Gilles Bisson (Timmins-James Bay):** The Premier announced, last Friday, movement in regard to the long-standing issue between the provinces of Ontario and Quebec when it comes to labour mobility rights. But it raises a couple of interesting questions in the way that this was resolved. Do we need to get there? Of course, every Ontarian would agree that we need to be able to move on this front. New Democrats have long advocated—and quite frankly were very successful while in government—dealing with this issue. Unfortunately, that

legislation was overturned by the Conservatives when they came to office.

But I say this: It raises an interesting question. What we're now saying is that we're going to allow anybody who has a recognized trade in Quebec that doesn't exist here in Ontario to come into the province, even though that trade doesn't exist here. Conversely, anybody who wants to work in one of those Quebec-recognized trades where training is not available in the province of Ontario—supposedly we're going to do quick passage and give that person an instant certificate.

I think what we need to do is look at doing what Quebec did when it comes to increasing the amount of apprenticeship training within the province in order to properly recognize those trades, and do what Quebec has done in supporting workers and making sure that they're properly qualified, properly trained and regulated when it comes to the various trades.

On the other issue, in regard to the other parts of this particular dossier, a huge issue in the northeastern part of the province and, I would argue, probably in southeastern Ontario, is the issue of mobility rights when it comes to the trucking industry. It is a huge issue where trucks that are licensed in the province of Ontario are not allowed to deliver into the province of Quebec unless they are transiting through the province. Conversely, we allow licensed trucks from the province of Quebec to come into Ontario with no reciprocal agreement. This is one area the government has done nothing on and somewhere where they need to take some action. We either have to mirror the rules that the Quebec National Assembly has towards Ontario truckers, or we have to come to some form of agreement in order to deal with that.

The last issue is sawlogs. There is far too much round timber going into the province of Quebec that is unprocessed from the province of Ontario. The Minister of Natural Resources has to get a handle on that issue as well.

### TEACHERS' PROFESSIONAL DEVELOPMENT

**Mr. Rosario Marchese (Trinity-Spadina):** Providing a couple of professional development days for teachers is a good thing, but it does not deal with the failings of our educational system. Boards are waiting for their legislative grants, and we're in June. I suspect we're going to get these legislative grants to boards by the end of this legislative session. We won't even have a chance to debate it. They used to get them in early April. We're now into June. It will be the end of June when boards will know what they're going to get.

Boards are underfunded in a serious way. They don't get enough money to pay for their teachers, so boards have to borrow and steal from other programs to be able to pay the teachers' salaries. Over 40,000 kids are still waiting for special education services. We have fewer ESL programs under the Liberals than we did with the Tories. Imagine that—under the Liberals. The Toronto board is talking about firing hundreds of educational



assistants and closing 60 or 70 schools under the Liberals. Transportation funding: We're still waiting for that model to be redone under the Liberals. You could do teachers a big, big favour, and that is, fund our educational system properly, and then professional development makes sense.

### VISITORS

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** On a point of order, Mr. Speaker: We have here in the Legislature some prominent elected and senior officials from the various states of India. I would like to introduce and recognize them here in the Legislature.

We have the Honourable Tarun Gogoi. He's the Chief Minister of Assam. Assam is the state known for producing tea. We also have the Honourable Sushil Kumar Modi, Deputy Chief Minister of Bihar. We have the Honourable Rangila Ram Roa, the excise and taxation minister of Himachal Pradesh. We also have the Honourable Dr. A.K. Walia, Minister of Finance, government of national capital territory of Delhi. In addition, we have very senior officials. We want to welcome them to the Legislature. They are here to study the tax system.

### ORAL QUESTIONS

#### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question is for the Attorney General. On the website of your ministry, there's a good description of the unique aspects of your job as Attorney General, including reference to the non-partisan way in which many of your duties are carried out, uniquely. Among other things, it says on the website, "As chief law officer, the Attorney General has a special responsibility to be the guardian of that most elusive concept—the rule of law." It goes on to say a bit later on, "It is the rule of law that protects individuals, and society as a whole, from arbitrary measures and safeguards personal liberties."

Recognizing the complexities of the Caledonia file, can the Attorney General comment on his responsibility to uphold the rule of law within the context of the various activities we've seen by people of all backgrounds in and around that community, including as recently as last night?

**Hon. Michael Bryant (Attorney General):** I'm going to refer the supplementary to the minister responsible for aboriginal affairs, but I'm happy to tell the member that obviously the Ministry of the Attorney General had counsel before His Honour Justice Marshall, when parties were summoned, and will continue to participate in that fashion as required as matters do come before the court. We obviously continue to work with other ministries and provide legal support where appropriate.

I understand the genesis of the member's question. I hope you will appreciate that the minister responsible for aboriginal affairs is addressing this matter, and in a comprehensive fashion, so it's really appropriate for the specifics that I know will come out in your supplementary to be addressed by that minister.

**The Speaker (Hon. Michael A. Brown):** Supplementary?

**Mr. Tory:** Actually, I'm not going to address the specifics, because I know those are difficult, in some cases, to comment on. But I want to say to the minister, by way of supplementary, that there are no easy answers as to how to resolve issues like the standoff at Caledonia and, in particular, the question of how it has been allowed to escalate into the public security threat that it has. There are people with different opinions, but I think in the end we know that Ontarians are no more knowledgeable today about the situation, its root causes and some of the resolutions than they were before. That is why we feel that a commitment on the part of this government, at the appropriate time, to call a full public inquiry would be useful so as to make sure we can find out in an impartial way how we got to where we are and, more importantly, how we can prevent these things from happening again, including making sure that we find a better way, if we can, to handle land claims disputes.

This is an incident that is not to be repeated. I ask the minister, will you commit here today in the Legislature to call a full public inquiry at the appropriate time into the Caledonia standoff so that we and all Ontarians are better able to deal with these kinds of situations in the future?

1430

**Hon. Mr. Bryant:** I refer the question to the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I would say to the Leader of the Opposition, I can tell you now how we got here today. We got here today because of the slow, legalistic approach that the federal government has taken to the disposition of land claims in this country. We have a thousand of them outstanding right across this country, at least 65 or more in Ontario, and that's why we are where we are today.

As I've spoken to you in many other responses over the last few weeks, there was an exploration into this particular land claim and accounting claim over the last two years. Great progress was made, but many in the community didn't understand the progress that was being made and were frustrated and acted out on that frustration.

**Mr. Tory:** I would note that the minister didn't answer the question. I would note as well that while I suggested in particular that part of the terms of reference of any such inquiry could include a better way to deal with land claims disputes of this kind, every commentator, every person who is knowledgeable in the law, has also commented on the fact that portions of this matter are your direct responsibility: the enforcement of the law and a number of other aspects of this to do with



transportation and other aspects of protecting the public interest.

What we've seen is a pattern of how these situations have developed over the years, have been allowed to develop over the years, from Oka to Ipperwash to Caledonia. I think we need to take a closer look at the land claims process, yes, but also at the other aspects of this that escalate over time. We've got to look at the heart of these conflicts and better understand them and how they unfold.

I ask you again, Minister, will you commit to beginning this process of better understanding by committing yourself and the government, at the appropriate time, to appointing a public inquiry to look into the Caledonia conflict, the issues involved, how we deal with land claims issues and the decision-making process—

**The Speaker:** Minister?

**Hon. Mr. Ramsay:** I would say to the member that what we're hoping for from the long-term working group with Barbara McDougall, the federal representative, and Jane Stewart, the provincial appointee, is to work on those various issues that have caused this crisis. We're asking them, once we get the community to normalcy, to start to work out methodologies of how we can work on land claims in a more timely manner, to work out the development processes in that Haldimand tract so that we have certainty they're going forward so our communities can grow. That's what we're expecting from that, and we expect that process to give us basically a prototype of how land claims across this country can be solved in a more pressing manner.

#### HYDRO PROJECT

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Energy. It has been brought to our attention that the Caledonia situation has begun to affect Hydro One's capability to replace large-capacity transmission wires within the hydro corridor that runs through the area in question near Caledonia. Could you please provide us with an update as to how this problem sits today, and could you also offer us any information you have pertaining to what could happen if this hydro project is not completed on a timely basis?

**Hon. Dwight Duncan (Minister of Energy):** I think the Leader of the Opposition is referring to the Niagara line reinforcement, which received OEB approval last year. It's something that had been contemplated for, I think, 10 years prior to its receiving OEB approval. No doubt the situation in Caledonia did slow down the timeline for completion. It was hoped it would be online on or about July 1 of this year. The last report I had was that it looks like it will be online approximately around the middle of July—July 15, July 16, July 17, thereabouts—assuming there are no more disruptions in the construction. It will provide an additional 800 megawatts of import capability to Ontario.

**Mr. Tory:** We could go down a number of roads about the 800 megawatts of import capability and so

forth and so on, and we could also ask on July 15th of which year you'd have that ready, given that we've had some problems in that regard.

We are told, I say to the minister, that Hydro has about six weeks to complete this project, which is about the same timeline that the minister referred to. We've seen an article in the Windsor Star saying, "If the transmission line is not completed soon, there is a very real possibility residents of southwestern Ontario will experience power shortages and brownouts over the summer."

May I ask the minister: What is your plan, if there are delays because of some of what we've seen going on in Caledonia that cause that timetable not to be met, seeing that the standoff in Caledonia is nowhere near being rectified? Do you have a backup plan to make sure that the kind of situation described in the Windsor Star—blackouts, brownouts and so on—is not affecting people in the province of Ontario? What is the plan, and will it be in place in time for the summer peak demand if the project is not completed on time?

**Hon. Mr. Duncan:** I'll remind the Leader of the Opposition that this plan had been on the books for close to 10 years, for eight of which your colleagues around you sat and did absolutely nothing. I would refer the Leader of the Opposition to the ISO's press release of last week, which identified 600 megawatts of additional baseload generation capability and another 200 megawatts of wind generation capability, which we don't count as part of baseload because of the nature of peak-time use versus baseload versus intermediate and peaking capacity. A number of those windmills are in your riding. So the ISO reports that our 18-month outlook for power, even at peak this summer, is in very good shape compared to last year.

**Mr. Tory:** I'm assuming, from the fact it wasn't dealt with, that there is no backup plan in the event that the Caledonia project runs late. There is no backup plan and it's all part of the overall scheme, which says there is no plan generally in the case of energy.

Just on the same general subject area, reports reaching us today indicate that the transformer station near Caledonia, which was burned up a few days ago in an act of vandalism, causing power to be lost by thousands of people and causing a huge economic loss to that area, is being protected by one private security guard, whose car apparently was burned up last night. Minister, has a request been made to the OPP or other police agencies to make sure that this transformer station, which is also a vital part of power delivery to the people in this region, is properly protected so that we won't see any further incidents of vandalism involved with this power station? Have you done what you should be doing, through hydro and through OPG, to make sure that this transformer station is properly protected?

**Hon. Mr. Duncan:** Yes, we have. There are a number of protective measures that have been undertaken, some of which obviously we don't want to talk about in this environment. Yes, this is a dangerous situation.

*Interjections.*



**Hon. Mr. Duncan:** They laugh. This is a party that cut 2,000 megawatts of power when demand was going up. This is a party that froze prices, stifled new development, did nothing on renewables, did nothing on conservation, left a disaster. We're cleaning up their mess. They should stop laughing and take it seriously, because this is a serious matter. We're working to keep the power on and to undo the damage that that party left this province over the last eight years, and we're doing it effectively, according to the ISO.

They still smirk and laugh.

### COMMUNITY SAFETY

**The Speaker (Hon. Michael A. Brown):** New question.

*Interjections.*

**The Speaker:** Order. Stop the clock. I need to be able to hear those posing questions. The member for Hamilton East.

**Ms. Andrea Horwath (Hamilton East):** My question is to the Acting Premier. Working families were deeply troubled by this weekend's arrests of alleged homegrown terror suspects. One thing that people want to hear from their government is that Ontario is prepared for emergencies, whether it's an ice storm, a pandemic or other serious event. They want some assurances that our schools, hospitals, larger buildings, institutions, colleges and universities are primed and ready to deal with any emergency. All the best plans are for naught without people on the ground to implement them. Will you, as a government, guarantee that every part of the province is equipped with resources they need to handle emergencies?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** To the Minister of Community Safety and Correctional Services.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for her question. I'm sure, if she has been listening to what's been happening in this House over the last several months, and particularly we just went through Emergency Preparedness Week, that we now have every municipality in Ontario up to the essential level which is required under our Emergency Measures Act to get to the point where they can respond to an emergency.

I can tell you that, as long ago as almost a year and a half, we had a flood in Peterborough, and that was a textbook response. There were no deaths and no injuries, and they acted perfectly because they had been prepared. I have spent the last month and a half travelling throughout Ontario with the commissioner, Julian Fantino, making sure that communities have emergency preparedness plans in place. We've been having this throughout Ontario, and I'm satisfied that they're all at the essential level.

**Ms. Horwath:** You'll know that there are many communities that are still wanting for nurses and firefighters

and other professionals who help in emergencies, but I want to ask you about something a little bit different.

Working families are worried about a backlash now against Ontario's Muslim community. They have a reason to worry. This weekend, as you know, vandals smashed windows and doors at a mosque in Etobicoke, damaging a place of worship and unsettling a community.

1440

I would ask the government and the official opposition to join us in sending a strong message today that we support Ontario's law-abiding, peace-loving, vibrant Muslim community and that we condemn all acts of violence and hatred against it, just like we condemn all acts of violence and terror in Canada and abroad. Will you do that?

**Hon. Mr. Kwinter:** I thought that's what I did today when I read my ministerial statement. I can tell you that we are very concerned. We have now increased our funding by \$200,000 to police services in Ontario. We've gone from five to 10 to allow them to have hate crime units. We've set up a hate crime working group that is made up of citizens representing the diversity of Ontario. That group will be reporting back to us this summer.

We are very concerned about these issues. I commend the Leader of the Opposition for making a similar statement today. It would have been helpful if you had joined in with that statement when you had your chance to respond to the remarks.

**Ms. Horwath:** In fact, we did, but like all Ontarians, Ontario's Muslim community is concerned about homegrown extremism. They want to work with all levels of government, not just to identify violent extremism but to prevent Canadians from turning to extremism in the first place.

You may know that one of the proposals that has emerged is for Ontario to host an international conference on home-grown extremism, where we could learn and share the experiences from people all over the world. It's a sensible proposal, Minister, and we're hopeful that you will take it under advisement. Will you promise today that you'll act on that proposal and see that that conference comes to Ontario?

**Hon. Mr. Kwinter:** It would seem to me that homegrown terrorism and home-grown hate units is a national program. It's one that we would co-operate with. We do this now. This operation that just finished and is before the courts was a combined effort of the RCMP through INSET, which is the integrated national securities team. It is something that we've worked on with the OPP hate crimes section. We've worked with police services. There were four GTA police services involved. We've worked with the Canadian Border Services Agency. All of these things are taking place, and if there is an initiative that we can all participate in, of course we will do it. I am not in a position to have the authority to call that in Ontario. That will be something that will be coordinated through all of the people involved in anti-terrorism, and they will decide when and where that will take place.



## ONTARIO DISABILITY SUPPORT PROGRAM

**Mr. Michael Prue (Beaches–East York):** My question is to the Acting Premier. Last week, the Ombudsman of Ontario sounded the alarm about your government and how they are letting down disabled Ontarians. He revealed that Dalton McGuinty, the Premier who once said, “Judge a government by how it treats the disabled,” is in fact denying 4,600 disabled Ontarians \$6 million in benefits to which they are legally entitled, money they desperately need for food, clothing and shelter. Is it still the McGuinty government’s position that disabled Ontarians should receive no compensation for disability benefits they are being denied because of your own government’s bureaucratic bungling?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I’m pleased to respond today on behalf of the minister and to say much of what she mentioned last week. Of course, we thank the Ombudsman for his work. The Ombudsman pointed out that the system was broken, and we’re going to work to fix it. In accordance, we didn’t wait for the report. We put additional people on the front lines to enhance our timeliness in terms of responding to those applications from prospective Ontario disability support program beneficiaries.

I want to say to the honourable member that in accordance with the advice that was offered by the Ombudsman—it was a six-month report. Of course, my honourable friend the minister has already said that Ontario would do the fair and right thing for the individuals referenced in this report. Details to follow, but I can assure the honourable member that we’re taking seriously the circumstances outlined by the Ombudsman and are working already to improve our timeliness. We’ll respond more fully on the point that the honourable member has asked about.

**Mr. Prue:** That is \$6 million that 4,600 desperately poor people need to have in their pockets, not six months from now but today. Disabled Ontarians shouldn’t have to go without those benefits because you can’t get your act together.

This is what’s happening to just one of them: Janice Ann Wareham. She was here in the Legislature today. In October 2004, she picked up her ODSP application form. Eleven months later she was finally approved for benefits, but instead of getting paid for the 11 months she waited, she got paid for four months, or 36 cents on the dollar. How do you justify denying Ms. Wareham and disabled Ontarians like her the benefits that they are owed? Why won’t you pay her back in full?

**Hon. Mr. Smitherman:** The honourable member needs to know—I believe he does, but he perhaps should state that he recognizes that we’ve already altered the rule that he spoke about in the question. We acknowledge that this program has been too slow in responding to applications. That’s why we’ve already acted, in a proactive way, to address the circumstances that we all know to be problematic. Significant improvement has already

been made in terms of reducing any backlogs. We have more work to do, and we’re very dedicated to it.

The minister is taking that as a priority. She did say last week, and I repeat from my earlier answer, that we will do the fair and right thing for the people. But the honourable member asked us to adhere to the report of the Ombudsman, and then when we take the time that the Ombudsman has indicated in the report would be appropriate, the honourable member seeks to differ with it. So I just ask him to have some consistency in the approach he brings to this issue, but I assure him that what the minister said is that we’ll do the fair and right thing for these individuals. We sought to improve the timeliness of the program, we have more work to do, as has been acknowledged, and a more complete response with respect to the very precise issue the honourable member is asking of will be forthcoming in a very timely—

**Mr. Prue:** Disabled Ontarians have had to take the untold step of having to drag themselves before the courts to get benefits they’re being denied because of your Premier’s “morally repugnant” policies. That’s what the Ombudsman called them. They shouldn’t have to turn to food banks and charities to survive when you’ve taken millions of dollars out of their pockets. It’s much easier for you to find this money than it is for them. As a matter of basic decency and fairness, this Premier who said, and I quote again, “Judge a government by how it treats the disabled,” should pay back disabled Ontarians the \$6 million that they’ve lost because of your Liberal bureaucratic bungling. Why can’t you do that now? Why do you have to wait six months?

**Hon. Mr. Smitherman:** We didn’t wait for any report to begin to act. I’ll remind the honourable member, who likes to use high-and-mighty language in here, that his party, including that member, on two separate occasions increasing the resources available to the very same individuals that we talk about today, voted against it. This is the record of his party: Say one thing in here and do a different thing in here, and still feel like you’re acting in a consistent fashion.

We recognize that there were a variety of policy hangovers left by the previous government. It has been our obligation as a government to work through those. We’ve been doing that vigorously. We’re proud of the record that we’ve brought forward: an additional \$200-million investment in our last budget for those who are vulnerable. Of course we have more work to do. To respond to the Ombudsman’s report in a timely way is a priority, but we’ve already begun to act to improve the timelines related to those who are making applications for the Ontario disability support program. It would just be nice if, for once, the NDP would stand in their place, when we bring forward additional resources for these people, and vote in favour of it.

## CUPE RESOLUTION

**Mr. Tim Hudak (Erie–Lincoln):** A question to the Minister of Citizenship and Immigration. CUPE Ontario recently passed a resolution to boycott and use sanctions



against Israel. The resolution and boycott are harmful, absurd, insulting and just plain wrong. Will the Minister of Citizenship stand up in the House today and condemn the CUPE resolution?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I thank the member for the comment and the question. Let me just say right off that I think that CUPE Ontario should withdraw that resolution. It is, at best, simplistic. It's unfair. I think it's appalling that they would dare try to resolve that very complex issue in the Middle East with a resolution that does nothing to contribute to solving the problem. So I would encourage a withdrawal.

**Mr. Hudak:** To the minister: I appreciate your response; you're doing the right thing. No supplementary, Mr. Speaker.

1450

### LANDFILL

**Mr. Peter Tabuns (Toronto-Danforth):** My question is for the Minister of the Environment. Minister, for over seven years now, the Mohawks of the Bay of Quinte and local municipalities have been sounding the alarm over Waste Management's proposed expansion of the Richmond landfill site. The site for expansion is unsafe. It would be within a watershed. It's in the vicinity of groundwater and local creeks that are the source of local drinking water.

The decision will soon be yours, Minister. The decision will be up to you to accept or reject this proposal. Chief Donald Maracle and a number of other community leaders were here today asking you to protect their local water supply and public health. Will you reject this expansion?

**Hon. Laurel C. Broten (Minister of the Environment):** As the member opposite should know, the process is under way with respect to this environmental assessment, and it has been a long procedure for this community to manage over some period of time. We are getting to a point where some decisions will be made. The Ministry of the Environment will publish the government review report by June 9. Then the community will be able to have another five weeks for a comment period to bring forward whatever issues they may wish to raise at that time. Following that comment period, a decision will be required from me by October of this year. So we are moving forward with this environmental assessment process. All voices are being heard.

I think the process has been a procedure whereby the community has been able to raise many issues that they have sought to raise, and that's important. That's what the environmental assessment process is all about.

**Mr. Tabuns:** The memories of Walkerton and Kashechewan cannot be lost on you right now. It was two years ago this week that your government introduced a discussion paper on a strategy to divert 60% of waste from landfill. The final plan is nowhere to be seen. Action to be taken to protect communities against these

mega landfills seems to be totally on hold. Instead, you're talking about making it easier to site landfills.

Minister, will you present the 60% waste diversion strategy so local communities will have the protection of the province in dealing with these waste management issues?

**Hon. Ms. Broten:** I will let all members opposite know that I am certainly well aware of my responsibilities to ensure that we have clean, safe drinking water in this province. We have an incredible team of people in the Ministry of the Environment, including the chief drinking water inspector, who are working closely. That's the dialogue that I had with Chief Maracle when I myself met with him last week. I've met with all of the folks who are raising concerns and perspectives with respect to this landfill: the mayor of Napanee, the reeve of Tyendinaga township and Chief Maracle himself. My decision to approve or reject this landfill will be due October 20, 2006. I look forward to this process concluding. I look forward to the information that I will be receiving from all fronts during the government review period. We will be bringing forward all of the variety of evidence that needs to be brought forward.

We understand the need for management of waste in this province, and we're working closely with all participants in this hearing to make sure that all of the—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. New question.

### RURAL SUMMER JOBS PROGRAM

**Mr. Pat Hoy (Chatham-Kent Essex):** My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, it has been another busy and successful school year for students in my riding of Chatham-Kent-Essex. Students grew and benefited greatly thanks to our strong commitment to education and rural schools. I understand that this is all part of Ontario's rural plan, where we see people as the foundation of our rural economy and communities.

With summer fast approaching, many of those students are now looking for summer jobs to explore their horizons, earn some money and gain valuable experience. However, I understand that job opportunities for youth during the summer can be limited in some rural areas. With that in mind, what is the government doing to encourage youth employment in rural communities?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I want to thank the honourable member, who has long been an advocate for rural communities in this Legislature and continues to advocate for those issues, particularly issues that relate to youth in rural Ontario. I'm happy to tell the members of the Legislative Assembly about the Ministry of Agriculture, Food and Rural Affairs' rural summer jobs program. This program is going to contribute approximately \$3 million to help rural students gain employment in their communities. The way the program works is that employers are able to apply for a \$2-per-hour rebate on



salaries that are paid to summer students who are hired in rural Ontario. Since the beginning of the program, some 8,000 students have benefited from it, and we believe that this summer some 3,700 students in rural Ontario will benefit from the rural summer jobs program.

**Mr. Hoy:** Minister, this program has proven to be extremely beneficial to my constituents. In my riding alone, it has helped 122 students find summer employment on farms, in food processing plants, greenhouses, meat markets and grain elevators, just to name a few. I understand that this program also encourages job creation by providing economic incentives to local employers. Could you please clarify for me how the economic benefits offered to businesses participating in this program fit with Ontario's rural plan?

**Hon. Mrs. Dombrowsky:** I'm happy to talk about a couple of very positive spinoffs. First of all, I did have the privilege last year at the plowing match in Hastings county to talk to people about the rural summer jobs program. We actually had a student who had participated and because of that work experience wanted to pursue a career in the agriculture industry. That is good for rural Ontario.

We also believe that by making these investments, by encouraging our youth and by providing them with experiences from which they will gain experience and understand how they can participate in the rural economy, it will go a long way to boost economic development. It will also provide improved access to educational opportunities and it will support the communities where these young people live.

We've had tremendous response, very positive response—

*Interjections.*

**Hon. Mrs. Dombrowsky:** I know that members across the way are commenting very positively because these programs work in your ridings as well. This is a non-partisan initiative, and I know that folks in your ridings are very appreciative of this program that our government is leading for rural Ontario.

#### COUNTERTERRORISM MEASURES

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. In your platform document on page 24, the Liberals promised, "Additional support for police intelligence services to ensure that our various police forces can work together to protect all Ontarians." Other than firing key security advisers such as Major-General Lewis MacKenzie and retired RCMP commissioner Norman Inkster, can you tell us exactly what additional resources you have provided for counterterrorism?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** First of all I want to correct the member so that there's no doubt as to what happened. We did not fire the so-called security advisers; we just didn't renew their contracts. The reason we didn't renew their contracts is that they hadn't met for over a

year. We felt that they were there because the former Solicitor General felt it got him a great deal of credit for having these people available, but they didn't do anything in the last year they were there. That is why their contracts were not renewed.

**Mr. Dunlop:** I actually asked you what other resources you provided, Minister.

Over the weekend, you learned what many of us have suspected since 9/11: that the threat of terrorism is indeed a reality. Last year, you tried to cut \$1.76 million for counterterrorism from the Criminal Intelligence Service of Ontario budget, and have indicated to CISO that the \$1.76-million cut will take effect by May 2007. Minister, considering the safety of all Ontarians, will you commit to the House today that you will not slash the counterterrorism budget by \$1.76 million next May?

**Hon. Mr. Kwinter:** With all due respect, the member keeps raising things that might have happened, could have happened but didn't happen. There was no cut to CISO's budget—none. All you have to do is ask those people who run it, and they will tell you that there has not been a cut. You're saying that at one time you saw something that said there may be a cut. Well, I have to deal in the real world, not in the make-believe world that you deal in. I can tell you there have been no cuts to CISO.

1500

#### PROVINCIAL PARKS

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Natural Resources. Minister, you will know that last week there was a press conference here, sponsored by myself, in regard to the drastic cut in MNR seasonal staff and full-time staff who maintain our provincial parks in the province of Ontario. As you know, provincial parks are some of the places where Ontarians and others love to holiday, and especially for those with little income it's probably the only holiday they'll get.

I want to point out something that was in this press conference that I thought was interesting. It said, "MNR is wiping out the equivalent of 226 full-time summer jobs out of a total of 1,189 seasonal and regular student workers," said OPSEU president Leah Casselman. 'It's atrocious. We thought cuts of this magnitude were gone with Mike Harris.'" People voted for change. Why are you acting like Mike Harris?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Thanks for the compliment, there, at the end your question. I have to say to the member, in the context of your question, you really set up my answer, because I do appreciate that the provincial parks system is how many Ontarians of low income access the wonderful natural resources of Ontario. We have kept the costs down this year to what they were the year before, yet we have higher operating costs in energy and other expenses all the way through the park system. But I want to make sure that the Ontario parks system, being one of the best in the world, is accessible to everyone in this province.



**Mr. Bisson:** Listen, Minister, you can say all you want about reducing the amount of money spent year over year in provincial parks. The reality is that you're going to have far less staff maintaining our parks from the perspective of making sure those parks are well maintained so that we don't have garbage lying around and others, but there's also the issue of health and safety when it comes to those people visiting the parks. The fact is that you're reducing park staff by almost 20% over last year. I asked you a specific question: Why are you doing this? People did vote for change. You're acting just like Mike Harris did. When are you going to start acting as you were supposed to after the last election, and not like Mike Harris?

**Hon. Mr. Ramsay:** As the member knows, the parks system is one of two special-purpose accounts in the Ontario government, the other being revenues from angling and hunting. In that special-purpose account we're basically at a point where we're very close to being break-even now on the parks revenues coming in to operate those parks. We're trying to manage within that budget. Again I say to the member that with increasing costs coming to the parks system, I think you'd be the first on your feet to criticize me if all of a sudden I had a large increase in camping fees that might make it prohibitive for many Ontario families to enter our parks system. So we're going to keep the fees down, and reasonable and affordable so that all Ontarians can access the Ontario provincial parks system.

#### APPRENTICESHIP TRAINING

**Mr. John Wilkinson (Perth-Middlesex):** My question is for the Minister of Training, Colleges and Universities. Yesterday afternoon I attended the Stratford Chefs School's 2006 graduation ceremony, where we celebrated some of Canada's best emerging culinary talents. I want to thank you for visiting the school last fall. Since 1983, the Stratford Chefs School has been renowned for being the only culinary institute in Canada operated by working restaurant professionals. This allows students to apprentice in the culinary arts under working chefs who are at the top of their profession. Alumni are working in some of the finest restaurants, not only in Ontario but around the world.

Our government values apprenticeships and sees them as an integral part of lifelong learning. However, some students aren't aware of the many opportunities for apprenticeships in the arts. Minister, what initiatives are being implemented to increase apprenticeship opportunities in the arts?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I'd like to thank the member from Perth-Middlesex. I was visiting not only the Stratford Chefs School but the Stratford Festival with him some months ago and he was explaining the needs of his community in terms of the arts. In terms of the cooking and culinary arts, they're supported by general programs. We've increased the investment in college co-op diplomas, in the apprenticeship program, in the pay-

ment of places in school for the apprenticeship training. And we're encouraging employers to take on apprentices through the apprenticeship training tax credit.

In terms of the arts generally—the Stratford Festival—there's a lot more work to do. It is true that last December we introduced a new apprenticeship to support the lighting and stage set-up in theatres such as the Festival, Avon and Third Stage theatres at Stratford with our entertainment industry power technician apprenticeship.

Through the sector initiatives fund, we're working with my colleague and others involved in the cultural sector to determine what the industry needs are and how we can better meet them in the future.

**Mr. Wilkinson:** Minister, I'm pleased to hear that our government is working to promote apprenticeships in numerous fields across the employment spectrum, especially in the arts. I know that my constituents in Perth-Middlesex appreciate the support of your ministry.

As you know, many students need financial support when pursuing post-secondary education, including apprenticeships. I know that students at the Stratford Chefs School are again eligible for OSAP. What is our government doing to ensure that students at the Stratford Chefs School and other similar places of learning can qualify for OSAP?

**Hon. Mr. Bentley:** It's true that the students at the Stratford Chefs School are once again eligible for Ontario student assistance program loans and grants. I think that's great news for them. I happen not only to have visited the school as a minister, but to have enjoyed the results of the great apprentices' fare—

**Hon. Steve Peters (Minister of Labour):** We can see it.

**Hon. Mr. Bentley:** Thank you very much—in numerous visits over the decades.

Our government has made a very substantial advance in terms of providing student assistance. This fall alone, 60,000 students will receive grants covering between a quarter and all of their tuition. To put that into perspective, two years ago there were no grants, now, 60,000 grants. Under the McGuinty government's Reaching Higher plan, more students are getting more assistance and more of it is in grants than ever before in the history of the student assistance program. We are determined to ensure that no post-secondary eligible student is denied admittance for financial reasons.

#### CONSERVATION OFFICERS

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** My question is to Minister of Natural Resources. We are in the real world today, and I'd just like to mention that Gilles Bisson must have the same writer as I do, because he asked the very same question I was going to ask you. But we will still talk about cutbacks which are happening in your ministry.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** Why bother asking?



**Mr. Murdoch:** Well, we're going to go to some more cutbacks for you, Mr. Treasurer, and you can help us out by putting some money in the MNR, all right?

MNR has been cut and cut and cut. Now we have no COs being—

*Interjection.*

**Mr. Murdoch:** Well, we've got some people going. Now we have no COs being hired by your ministry; we're way behind in that.

*Interjection.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. The Minister of Education will come to order. I won't warn her again.

**Mr. Murdoch:** I have a question and they get all excited over there because it's in the real world. You guys don't understand the real world; that's the problem.

Here's what's happening, though: You're not hiring COs. I understand you need the money to do that. The Treasurer is listening; I'm sure he's going to give you some.

The other thing: We have COs in the north who have to park their trucks. They can't even have enough gas to run them. They get one tank a week by the ministry.

My question is, is the Minister of Natural Resources slowly phasing out the ministry by just cutting and cutting and cutting?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I'd like to assure the member that the last thing I'm going to do is phase myself out of a job over here. We're going to have a very strong Ministry of Natural Resources. The minister is going to lead it and is going to manage it in a very efficient way.

What I say to the member is, as you know, we talk to the stakeholders who have great interest in what we manage from the ministry's point of view. We work very closely with them. We're looking at more partnerships with people to help us with many of the functions that we have historically done. We're going to make sure that the natural resources in Ontario have good stewardship from the ministry, because the people of Ontario deserve nothing less.

**The Speaker:** Supplementary?

**Mr. Robert W. Runciman (Leeds–Grenville):** On ministry staffing: Minister, in January I wrote to your office with respect to concerns raised by an MNR game warden in my riding provided with so little by way of resources that he was only able to put enough gas in the truck to patrol his district three days a week. We know the Westport area is one example where reports abound of outside groups coming in to area lakes at night and taking out large numbers of fish without any apparent concern about being caught in the act because the wardens don't have gas for the trucks, let alone the manpower to do their jobs.

Minister, part of your ministry's mandate is to protect and preserve physical resources such as fish and animals. Why aren't you doing that?

1510

**Hon. Mr. Ramsay:** In the ministry, we are managing all the functions that we have the responsibility for. Obviously, the conservation officer program is a very important program in Ontario; and again, we have various techniques. As you know, we've announced this year a phone-in line that has had a great response from the public. The public wants to help the ministry with enforcement issues because the law-abiding hunters and anglers don't want to see poachers exploiting the resource, and so they're playing a greater role in helping our conservation officers in patrolling this. We have beefed up our intelligence unit, and what we've done is targeted areas where we have specific problems.

I very much appreciate the information that the member is bringing forward to us, because when we get that information we can concentrate on those areas and provide good enforcement for our resources.

#### KASHECHEWAN FIRST NATION

**Mr. Gilles Bisson (Timmings–James Bay):** My question is to the Minister of Natural Resources. Minister, last month you met with the chief of the Kashechewan and others with regard to the transfer of the reserve from now low-lying areas to land that's in a higher area. For the record in this House, will you confirm that in fact the province will transfer that land to allow the Kash community to move; and number two, are you prepared to do this in an expeditious manner?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** As I committed to Chief Leo Friday, the province will work with the community to facilitate the transfer of land that they need and require for any relocation of their community.

That community is not sustainable where it is. We've seen from the reports that even the four other candidate sites have flooded over. Whatever is the most appropriate piece of land, we're prepared to transfer that to the community.

**Mr. Bisson:** Minister, I need an answer to the second part of the question, because you know that the federal government is now trying to play the game that they always do, which is trying to find excuses not to do the right thing. We need to say clearly as a province that not only are we prepared to transfer that land over in order to allow Kashechewan to move, but we will do that transfer in an expeditious manner.

So I ask you again, in order to allow Mr. Prentice off the hook, are you prepared to say in this House that the process will be expedited so the community can move on?

**Hon. Mr. Ramsay:** I would assure the member that we will expedite that process. However, we just have to wait for the federal government to authorize the reserve to be relocated or expanded. As soon as that authorization is there, then we have something to transfer to. So as soon as the federal government agrees that any par-



ticular site is the site, then we will make sure that that land gets transferred to the reserve expeditiously.

### SMALL BUSINESS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** My question is to the new Minister of Small Business and Entrepreneurship. Minister, Ottawa Citizen reporter Kelly Egan wrote an article some months ago about the city of Cornwall in my riding of Stormont–Dundas–Charlottenburgh. In this article he referred to Cornwall as “the unkillable city.” This was a reference to the closure of Domtar, the loss of jobs that resulted and the interest of citizens to tackle economic problems head-on.

Indeed, the resourceful citizens are finding that there is life beyond Domtar. With the manufacturing sector in transition, many constituents are looking in new directions, finding alternative ways to earn their living. Many former Domtar employees are going back to school, while others are taking a crack at starting their own businesses. Dean River and Don Blue of Cornwall have established Double D's, a restaurant in the heart of the city that is quickly becoming the city's staple eatery.

Minister, through the Domtar Action Centre and other strategic economic assistance, this government is helping the city as a whole get back on its feet. Can you tell us how your ministry is assisting entrepreneurial individuals like Dean River and Don Blue establish their own businesses?

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** First of all, I want to thank the member for asking this question, and I also want to say that the community really set an example when the Domtar plant closed there. Our government, the local municipality and the community worked together to address some of the problems that were faced after the closure of Domtar. I want to congratulate them. The community has done extremely well on that front.

Our government moved quickly to establish the on-site action centre to help employees and new opportunities for employment. We also funded the project manager to coordinate the social services, and we provided assistance for Cornwall's development of a new economic development and marketing strategy.

In this ministry, there are 44 enterprise centres which new entrepreneurs can actually use when they're starting. When they want to open a business, it will provide them with all sorts of opportunities with developing the business plans, how to access the bank and dealing with the lawyers. So there is a lot of assistance available for the new enterprises.

**Mr. Brownell:** I am enormously proud of the resilience and dedication of my constituents, and I take it as a key responsibility to continue to advocate on their behalf and to encourage new industries and businesses to establish in the region. My constituents give their all every day, and they truly inspire me to do the same for them as I work with you and your ministry.

Minister, it was also wonderful to see you, and I appreciate your comments today as I work on the Small Business Agency of Ontario meeting—you were there this morning, a great show of support, and your words were appreciated. I know our government recognizes that small businesses like Dean River and Don Blue's restaurant are part of the lifeblood of our economy. How important do you feel small business is to the Ontario economy?

**Hon. Mr. Takhar:** Small business is very important to the Ontario economy. There are about 340,000 businesses in total in Ontario. Out of that, 99% of the businesses have less than 500 employees. If you really break that down further, about 97% of all businesses employ less than 100 people. So small businesses are where the growth is. Small businesses are where most of the new employment is generated, so they are very crucial to our economy.

I want to congratulate the member for actually serving on the Small Business Agency of Ontario. This is an agency which looks at what are some of the issues that small businesses face and how the government can address some of those issues. I was there this morning, meeting with the representatives of the Small Business Agency of Ontario, and they're doing some incredible work. I want to congratulate them and encourage them to continue to do that.

### ONTARIO DISABILITY SUPPORT PROGRAM

**Mrs. Christine Elliott (Whitby–Ajax):** My question is for the Acting Premier and also deals with the egregious delays in the Ontario disability support payments that this government owes to the most vulnerable citizens in Ontario; it's that important. The Ombudsman described the way your government runs the ODSP as “unreasonable, unjust, oppressive and wrong,” adding that the situation has escalated on your watch and is “nothing short of shameful.” Can you please tell this House what specific steps you're going to take to restore credibility to the ODSP?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The first step that we've taken to restore the credibility of the ODSP was to throw out the lousy government that instituted this circumstance. It's a rather galling circumstance to see the honourable member pretending to or suffering through the same amnesia that her leader does, which is all a bit of a pretender game or a shell game that seeks to dissociate them, their government, their eight-and-a-half-year record, from all that happened in the province of Ontario.

The reality is that we've taken the proactive steps of examining and dissociating ourselves from the way that your government acted in this fashion. The system was broken. We brought new people in, we've reduced by 10% the backlog that exists and we've already said—the minister said last week in response—that we will do the fair and right thing for the people. We've indicated, of



course, that we will respond fully to the report of the Ombudsman. But it's rather galling to hear this pretend game from the honourable member. This is your policy that we have sought to improve on behalf of the people in the province of Ontario.

**Mrs. Elliott:** This government has had almost three years to do something about this, so that argument is getting a little bit old, quite frankly. Sure, you repealed the four-month rule, but this was a rule that was misused by your government since you were elected. The Toronto Star reported on June 1 that the Ombudsman himself has said that the four-month rule was initially an internal performance standard and that it has been "twisted into a 'hammer' against the disabled." Furthermore, you didn't even make the announcement that you'd repeal this rule until the very day the Ombudsman released his report.

It's really unacceptable that it takes such an embarrassing and scathing report to get your government to do anything. This situation requires immediate action to protect Ontario's most vulnerable citizens. Would you please tell us how you plan to help these people?

1520

**Hon. Mr. Smitherman:** We have acted in so many areas where that government was acting out with the hammer, brutally applied to people who were disadvantaged in the province of Ontario. We've taken the hammer down. We're melting it into a ploughshare and making sure that we support the needs of people with disabilities in this province. We brought—

*Interjection.*

**Hon. Mr. Smitherman:** Why don't you give the honourable member from Ottawa a question, and I'll talk to her too about the circumstances with the government she worked in as a staffer, a government that over years left people on Ontario disability support to languish. And when we brought forward additional resources for the people on Ontario disability support, what did they do—and what did they do? They voted against it.

To hear the honourable member, herself related to someone who was a senior minister in the government that brought this hammer forward, stand and ask that question is galling, to say the least. We have acted, like our minister said, to do the fair and right thing for the people who depend upon Ontario disability support.

#### KYOTO PROTOCOL

**Mr. Peter Tabuns (Toronto-Danforth):** My question is for the Minister of the Environment. Scientists estimate that climate change will warm Ontario by an average of two to five degrees Celsius over the next 75 years. That will increase the number of floods, of droughts, of very hot days and of smoggy days.

In opposition, the McGuinty Liberals chastised the Tory government of Ernie Eves for wavering in support of the Kyoto accord. You even introduced a resolution in the House calling on the federal government to ratify the Kyoto Protocol. Yet three years later, the McGuinty government still has no climate change plan. When can

Ontario's working families expect you to table an Ontario climate change plan?

**Hon. Laurel C. Broten (Minister of the Environment):** Let me be loud and clear: This government supports the Kyoto Protocol. This government participated in the meetings in December and has continued to sign on to indicate that Ontario will take action to ensure that we reduce the harmful effects of climate change, the biggest challenge this society in general faces at the present time.

Let me tell the member opposite about just a few of the steps we are taking and have taken to ensure that we leave a lesser footprint on the earth for our children and for the next generation: an \$838-million investment in public transit in the GTA. That will include \$670 million to help Toronto extend its subway to Vaughan, which could eliminate some 30 million car trips in the GTA annually. Those are the actions and steps this government is taking to leave a lesser footprint and reduce GHGs, and that's the type of thing we'll continue to do moving forward.

**Mr. Tabuns:** A fascinating reply. Again, no plan on the table, but interestingly, unlike in other answers, no reference to the plan to phase out coal. I gather, because of the recent statements by the Minister of Energy, you're no longer factoring that into your statements when you talk about responding to Kyoto.

You still don't have a plan. Let's say that you could meet your deadlines; let's say you weren't breaking your promise to shut down the coal plants in this province. Even that would only meet about half your commitment, half your target to reach Kyoto.

Ontarians want to know in detail how this province is going to meet its Kyoto commitments. You have stood up and you've spoken; you have not put forward a plan. You haven't even promised a plan.

Given that climate change will seriously impact Ontario, will seriously hurt working families, will the McGuinty Liberals find the conviction they had in opposition and announce today that Ontario will join Manitoba and Quebec—

**The Speaker (Hon. Michael A. Brown):** Thank you. The question has been asked. The Minister of the Environment.

**Hon. Ms. Broten:** I guess the member opposite has to ask the same questions all the time because he never listens to the answers. Each and every single time I speak about the challenge of climate change, I talk about the fact that we are investing in public transit. That's not news to anyone, but maybe it's news to you.

Our government is also committed today to a future without coal. That statement has been made loud and clear in this province. We are going to replace dirty coal with cleaner sources of electricity. Absolutely, it is a significant challenge, but that is a critical component to making sure we have a clean, green future in this province.

Some of the other steps that perhaps have not been paid attention to: 5% ethanol content by 2007 takes



another 200,000 cars off the road. We're putting our money where our mouth is: \$520 million is going to the ethanol growth fund. Those are significant steps forward in this province to ensure that we have a clean, green future. Those of us on this side of the House take this responsibility very seriously. We will deliver clean air and no greenhouse gases.

### HIGH SCHOOL STUDENTS

**Mr. Bill Mauro (Thunder Bay–Atikokan):** My question is for the Minister of Education. It's been shown that offering our high school students a wide array of programming will help boost Ontario's graduation rate. At Atikokan High School, a unique program, the Quetico adventure program, was offered to the grade 11 and grade 12 students. This program offers all the benefits of a regular high school program, coupled with fall, winter and spring outdoor expeditions. The program is an excellent start for those pursuing post-secondary education and a career in outdoor rec, natural resources and environment fields. What other kinds of programs is your ministry offering high school students in Ontario, and what other initiatives have you undertaken with the student success strategy?

**Hon. Sandra Papatello (Minister of Education, minister responsible for women's issues):** I think it's fair to say that the difference today is that more and more students are able to face a more individualized and customized program that will actually see them move through high school to graduate. We anticipate that our rates are going to move from where they were before, in 30% of our students who weren't able to succeed in receiving a high school graduation diploma, right up to 85% of our kids graduating. I look forward to providing more information in the supplementary.

**Mr. Mauro:** There was a supplementary. Thank you, Minister; I appreciate that.

Perhaps, if you have an opportunity, the Atikokan High School program is singular in the province, and the outdoor adventure program they offer is very special and unique in the province. This Quetico adventure program has been in existence for four years and is a wonderful example of what we can do with complementary programs in the education system. I'd like to hear what we can do in education in Ontario with complementary programs like that.

**Hon. Ms. Papatello:** As you know, we've had a very special focus on rural Ontario, in particular as it relates to student success. We've made certain that all of our major initiatives have some component that will address rural Ontario and the serious concerns that much of rural Ontario faces.

In this regard, we have very specifically addressed a \$10-million lighthouse program for student success, a new rural experience in the curriculum and a \$3.5-million e-learning curriculum, which will benefit many students in rural Ontario.

### VISITOR

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** On a point of order, Mr. Speaker: Just before petitions, I want to recognize a very important Sudburiian who is in the gallery today. Professor Rand Dyck has inspired many people to get involved in politics as a political science professor at Laurentian University. Professor Dyck, welcome to the assembly.

### PETITIONS

#### RECYCLING

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas waste from Ontario public schools that could otherwise be recyclable is contributing to increased landfill sites; and

"Whereas diverting waste is critical to sustaining a healthy environment now and in the future; and

"Whereas there is a need to encourage recycling initiatives in all schools; and

"Whereas the private member's bill proposed by the geography club from Georgetown District High School under Making the Grade will require all Ontario school boards to have two recycling bins in each classroom, one for paper and one for drinking containers. As well, cafeterias must have adequate recycling containers outlining items acceptable to be recycled;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the private member's bill that will amend the Ontario school boards education act to divert waste from Ontario high school classrooms and cafeterias."

I support this petition and have affixed my signature.

1530

### DRUG LEGISLATION

**Ms. Shelley Martel (Nickel Belt):** I am pleased to present petitions that have been given to me by the Coalition of Ontario Pharmacy, which is a non-partisan group of pharmacists, pharmacies, patient advocates and health care groups who are concerned with Bill 102. These represent part of the 52,534 signatures that have been gathered by this group with respect to concerns about the bill. It reads as follows:

"Whereas Bill 102 proposes to remove approximately \$500 million from our community pharmacies; and

"Whereas the government's plan will force some community pharmacies to close and will force others to lay off staff, reduce hours or cut service to patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please amend Bill 102 to cancel the plan to pull funding from community pharmacy and ensure that our community pharmacies receive the support they need to provide vital services to patients. Don't force our community pharmacies to close or reduce their service."

I agree with these petitioners. I've affixed my signature to this.

#### LONG-TERM CARE

**Mr. Dave Levac (Brant):** I have a petition on behalf of Gerard Kennedy, the former member.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I sign this petition on behalf of Mr. Kennedy.

#### DRUG LEGISLATION

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I have here about 53,000 names.

"To the Legislative Assembly of Ontario:

"Whereas Bill 102 proposes to remove approximately \$500 million from our community pharmacies; and

"Whereas the government's plan will force some community pharmacies to close and will force others to lay off staff, reduce hours or cut service to patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please amend Bill 102 to cancel the plan to pull funding from community pharmacy and ensure that our community pharmacies receive the support they need to provide vital services to patients.

"Don't force our community pharmacies to close or reduce their service."

I am very pleased to affix my signature to this petition.

**Mr. Peter Kormos (Niagara Centre):** I've got a petition addressed to the Legislative Assembly of Ontario.

"Whereas Bill 102 proposes to remove approximately \$500 million from our community pharmacies; and

"Whereas the government's plan will force some community pharmacies to close and will force others to lay off staff, reduce hours or cut service to patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please amend Bill 102 to cancel the plan to pull funding from community pharmacy and ensure that our community pharmacies receive the support they need to provide vital services to patients.

"Don't force our community pharmacies to close or reduce their service."

I have affixed my signature as well.

#### TRADE DEVELOPMENT

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly given to me by a number of our brothers and sisters in the Canadian Auto Workers in Brampton, Georgetown, St. Catharines and Toronto. It reads as follows:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

It's a great petition. I thank the members of the CAW for their signatures. I add my own, and I'm going to ask page Hartford to carry it for me.

#### MACULAR DEGENERATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario which reads:



"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered,

"Therefore be it resolved that we, the undersigned, respectfully petition the government of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most individuals and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

I am in support of this and affix my name.

#### TRADE DEVELOPMENT

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** "Petition to the Ontario Legislative Assembly:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

#### LONG-TERM CARE

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care

homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

As I am in complete agreement, I have affixed my signature, and I'm happy to give it to page Tyler.

#### TRADE DEVELOPMENT

**Mr. Jeff Leal (Peterborough):** I have a petition today from hard-working men and women who are members of the Canadian Auto Workers.

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

1540

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

I agree with this and will affix my name to this petition.

## HEALTH PREMIUMS

**Mr. Ernie Hardeman (Oxford):** I have a petition signed by a great many of my constituents and people from across the province. It's to the Legislative Assembly of Ontario.

"Whereas, according to the Department of National Defence, there are over 30,000 serving military personnel who call Ontario home; and

"Whereas, according to the most recent census data, there are more than 1.6 million senior citizens over the age of 65 living in Ontario; and

"Whereas the PC Party of Ontario plans on eliminating this illegitimate tax for all Ontarians after it forms the government in 2007; and

"Whereas, as an interim measure, this illegitimate health tax should be removed from those who protect Canada and those who have built Ontario;

"We, the undersigned, call on the government of Ontario to immediately eliminate the province's illegitimate health tax, beginning with serving military personnel and senior citizens."

I affix my signature, as I agree with the petition.

## WORKPLACE SAFETY

**Mr. David Zimmer (Willowdale):** On behalf of my constituents in Willowdale:

"To the Legislative Assembly of Ontario:

"Whereas we are concerned with the lack of workplace safety and protection for workers in Ontario,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To review and amend the specifications of the Workplace Safety and Insurance Act to make it mandatory for all employers in Ontario to participate in and contribute to the Workplace Safety and Insurance Board."

I support this. I attach my signature and I turn it over to page Harjot.

## EDUCATION FUNDING

**Mr. John O'Toole (Durham):** I'm pleased to present at petition on behalf of my constituents in the riding of Durham, which reads as follows:

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation that provides equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

This seems like a reasonable petition, and I'm going to sign it in support of those groups.

## OPPOSITION DAY

## NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** I move that the Legislative Assembly call upon the government,

To recognize that the McGuinty government was made aware of the Six Nations' land claim issues at Caledonia in August 2005, yet allowed the situation to escalate to a full-blown standoff starting on February 28, 2006;

To recognize that the McGuinty government refused even to acknowledge the Caledonia land occupation as a provincial issue until day 42 of the standoff;

To recognize that the McGuinty government's Places to Grow Act was a catalyst in igniting the standoff, since it provides a legal framework for the McGuinty Liberals to designate any area of land as a growth plan area;

To recognize that the McGuinty government further provoked the situation with a regulation identifying the greater Golden Horseshoe area as the first area for which a growth plan will be prepared;

To recognize that the Premier's procrastination and failure to show leadership when it was most needed allowed this situation to escalate into a public safety crisis;

To recognize that the McGuinty Liberals have refused to compensate the OPP for the unforeseen costs incurred



while policing Caledonia and to reimburse municipalities policed by the OPP that sent officers to Caledonia;

To recommend to the Lieutenant Governor in Council that a commission be appointed to inquire into and report on how absence of communication and lack of leadership by Premier McGuinty and his Liberal government allowed the Caledonia situation to escalate to a full-blown standoff and subsequently a public security crisis;

To accept recommendations from the commission directed to preventing similar chaotic confrontations when dealing with future land claim issues in the province, including recommendations with respect to ways in which we can improve dispute resolution in this area and enhance respect for the rule of law; and

To grant the commission powers under the Public Inquiries Act.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Tory has moved opposition day number 4. Mr. Tory.

**Mr. Tory:** I'm pleased to have the opportunity to move this motion, to initiate this debate today and to speak to the motion. I want to make four points. The first three are important, but I think the fourth is especially important. The four points are: the need to find ways to improve the land claims process; secondly, the need for a timely response on the part of governments when incidents of this kind arise and the shocking failure of the McGuinty government to respond in a timely fashion in this particular instance; thirdly, the need for leadership and communication on the part of the government of Ontario when incidents like this arise so that we don't have a crisis boil up before anything is done—again, a shocking failure on the part of Premier McGuinty and his government in this instance; and finally, some comments on what I think is the most important issue of all that needs to be looked at by a commission and should be discussed here in the Legislature today, namely the importance of the maintenance of the rule of law.

Dealing with the first issue, the land claims process, I think it is apparent to all of us that we have to do better. We heard the minister this afternoon getting into the same old game of saying that really this is all the federal government's responsibility and the rest of us should wash our hands of it and have nothing to do with it and so on. I think this is the kind of thing that has made our First Nations fellow citizens and, frankly, the citizens of Canada tired of this game that goes on back and forth, as opposed to saying, "Let's put a bit of energy, effort and creativity into finding better ways in which we can deal with these land claim issues." How we could do better; how they could do better, meaning the people in Ottawa and meaning the First Nations people? We're all in this together at the end of the day, sitting down, discussing these things. I think there is not the need to point the finger of blame at any one person or another, but there's a need for us to accept our collective responsibility to make sure this process is done better.

Where is the harm in inviting, before an independent body or an independent investigator, experts and representatives on all sides—First Nations, local govern-

ments, provincial governments, federal governments, business people, citizens who might have a view or two to offer on this kind of thing—and to talk with them and listen to them on the matter of how we can take these land claims that have been around in many cases for hundreds of years, including the one that has led to the standoff at Caledonia, and find a way to do better? I would answer my own question by saying that there's absolutely no harm at all. There's never harm in calling people together under the watchful eye of an independent investigator and putting some of these questions on the table and listening to what all these people have to say as to ways in which we could do better.

1550

I think we have to be proactive. The government of Ontario should be proactive in saying to the First Nations people, and frankly saying to each other, that 200 years, and in some cases longer, is too long to let these issues fester and it's time to see how we can find ways to do it better and make our suggestions, regardless at the end of the day who has the direct responsibility, to put our suggestions on the record as to how we, in Ontario, think we could do better and prevent these kinds of situations from arising which we saw at Oka, which we saw at Ipperwash and which we see today in Caledonia.

The second point: a timely response. One of the merits of putting an inquiry in place like this is that it will allow all of us to see and understand why so much time was allowed to pass before the McGuinty government did anything at all—anything at all. They knew about this months and months before any kind of occupation or any kind of protest of any kind took place. There were information pickets on this very site, on the side of this very same road where the land is located, months before any occupation of the land began, and yet we see no action taken at that time or, if there's been any action undertaken at that time, we have no idea what it is because it's never been shared with the public.

Then the occupation of the land began months later. Still no action of any substance taken by Mr. McGuinty or his government until 60 days into the occupation—60 days of inconvenience, 60 days of mounting tension, 60 days of defiance of a court order. Maybe not 60 days of defiance of a court order, because I think it was obtained a little bit later, but the bottom line is, 60 days after the occupation began, finally we had Mr. Peterson sent in as a representative of the Ontario government: the first overt and obvious sign of any action being taken by this Premier, Mr. McGuinty, and his government of any kind whatsoever—not at the time when the issue first came to light, which I think may have been as far back as some time in 2004, and of course it's been around frankly for 200 years; not when the information pickets were there; not when the occupation began. Sixty days later: That's when this government finally decided, when the heat was on, when it was approaching a full-blown crisis, that they would do something about it.

I'm not critical of what Mr. Peterson has tried to do. He was kind enough to brief Mr. Barrett and myself on



what he was up to. There's no question as to the complexity of the assignment he took on, but questions still linger. What if he had been appointed last fall, in the fall of 2005, to sit down and begin the discussions he didn't begin until this spring? What if he'd been given that opportunity, David Peterson himself, to begin those complex discussions a lot earlier? Might we have never seen the blockade that did so much to raise tensions and did so much to disrupt the lives of people in that community and the relationship they've developed with each other over decades? What if he was appointed on day one or day two of the occupation instead of weeks and weeks into the occupation? Might we have headed off some of the ugliness that we saw in Caledonia where people were pitted against one another, where we saw power transformers burned down, businesses disrupted, schools shut down and so forth and so on?

What if this government had decided that this was a serious enough matter that related to the rule of law, to a dispute that was festering between different parts of the community, and had taken some action at an earlier time? How much less damage would have been done—yes, to business; yes, to schools; yes, to the transportation system; and yes, to hydro, just to cite some examples—but much more importantly than that, how much less damage would have been done to the social fabric of Caledonia and surrounding area and indeed the social fabric of Ontario if Mr. McGuinty and his ministers had decided to take some action earlier on, instead of just hoping, as they have done in so many instances, whether it be electricity or all kinds of things? We could talk about the crime wave last summer. What if they had decided, for once, to actually proactively take some steps to deal with a situation that was clearly spiralling out of control and had acted earlier? What would that have done to maintain that precious social fabric that exists and has existed for decades between the First Nations people who live in the area of Caledonia and the Six Nations and the others who have lived there together, side by side, for decades and decades?

On my visits there, I was struck by the fact that that was the issue that was of paramount concern to the people you talk to in both of those groups: How can we make sure we can go back when this is over, as it surely will be one day, to the kind of reasonably peaceful—not perfect; what set of neighbours anywhere live in a state of perfection?—but the reasonably peaceful coexistence we've had for decades? This government will never give us the opportunity to properly answer that question, because they dithered and they delayed and they failed to take action.

Three visits. You could see each time I went—I went the first two times without any contact with the media at all—that that fabric was being stretched further and further and that the damage was done, I would argue, simply by the passage of time.

That leads me to point three, communication and leadership. The one thing that you heard from people over and over again when you were there was that they

felt completely abandoned on all fronts. There was no one there, and there hasn't been to this day. Aside from Mr. Peterson, who was sent down, there was no one in a responsible position, a minister of this government, who had the courage—to my knowledge, unless they went down and have never told us—to go down there and actually take the opportunity to see for themselves what was going on and listen to the people and maybe show that slightest bit of concern about the impact this was having among all of the residents of all backgrounds down in that particular area.

Mr. Peterson wasn't appointed for 60 days, but I will give him this: He at least had the decency to show up. He went down there and did listen to people and sat with them and talked with them, which is more than can be said for any member of this government, including in particular the Premier of this province, who should have been there, if for no other purpose than to say he cared about what was going on enough to see it for himself, he cared enough to go and listen to the concerns that were being raised by people who live there and who have lived there beside each other. I say to you, Mr. Speaker, that the Premier should have been there; the minister should have been there.

They're very fond, over on the government side of the House, of saying how much they fight for this group or that group, but the people on all sides down there—I can tell you because I was there three times—felt there was no one fighting for them. Least of all did they find that people in their provincial government were fighting for them when it came to addressing this issue.

I want to just say a few words about the fourth matter, which is the one I said was the most important. I don't think there is anything more fundamental to the society we have here, to the system we have here, to the values that we hold dear in this province and in this country, than the rule of law. In fact, I noted with interest in doing a little research on this yesterday that when Mr. McGuinty, the Premier of this province, was in China last year, he took the opportunity to give what would properly be characterized perhaps in two respects, as a bit of a lecture to people he was visiting with in China about just how important we find the rule of law in the province of Ontario. He said, "Canadian leaders have consistently accentuated the dual themes of engagement and respect for the rule of law." He was talking there about business and saying that business can only be done in a climate in which the law is understood and consistently implemented. Those are the words of the Premier of this province giving a bit of a friendly lecture to the Chinese about the rule of law and talking about how important it is to those of us here in the province of Ontario.

I would go so far as to suggest that a good deal of the conflict we see in the world today, some of the stuff that we all have been talking about in this House this afternoon, is, yes, related to democracy, and yes, it's related in part to a belief that we have in the free enterprise system and to human rights and so forth. But it is perhaps more so than anything else about whether people are



prepared to embrace and buy into, as we have done in this society, the rule of law.

If you have a democracy where governments are elected and have legislatures to pass laws, and it's all very democratic, but then following out of that you don't have respect for the rule of law, what do you really have?

I read earlier from the Ministry of the Attorney General's website, where it was indicated that the rule of law and maintenance of the rule of law and the upholding of the rule of law is one of the most fundamental things that the Attorney General of Ontario is charged with. I would say the entire government, starting with the Premier and going all the way through, and indeed every member of this Legislature is here to pass laws and to reconsider laws and to hold people accountable, but at the end of the day, as well, to show leadership in upholding the rule of law.

I say with respect—and it's not intended to pass judgment on anybody involved in any of this—that we have allowed that principle to slide when it comes to how this matter has been dealt with, and others before it. We cannot have a situation where we somehow just leave everybody to fend for themselves when we have land that is being occupied after a court order is issued and we have public highways that are being blocked. If any of the rest of us did that, if we just decided to go out and protest high taxes or bad weather and sit down on Yonge Street, somebody would come along and say, "You can't do that," because it says in the law somewhere you can't do that.

This is a sensitive matter, but at the end of the day, you can't just say, "We're just going to go along and hope one day it all goes away." In the end, if people get that message, whether it's people here, in Caledonia, in Ontario or anywhere across the country, that no matter what's on the books or no matter what a court says, it's okay to do whatever you want, then where are we? What are people going to start to do in terms of conducting their own lives? If they don't like a law, are they allowed to just ignore it?

1600

I understand and I've tried to be fair and balanced in my remarks in saying we've got to start at the root of this, which is finding better ways to deal with land claims. But we cannot allow a situation to prevail in this province, whether it has to do with a land claim or anything else, where the law is ignored, where the orders of courts are ignored, where people are left saying, "Let's hope for the best and let us know how things work out." We must maintain the rule of law. It is fundamental to what our society is built on. It is fundamental to why we are here. It is fundamental to why we have courts.

I'd just say, in that regard, that I think there's a lot to be desired in terms of how this government has managed that aspect of this and in terms of how this entire matter has been managed. That's one of the other reasons why I think it is crucial that we have an independent investigator who can look at this most important of principles and say, "How can we do better at upholding and maintaining the rule of law?" There is nothing more funda-

mental and nothing more important to the role we play here to pass laws than that people and our society then have to agree on a consensual basis to follow and uphold them.

**The Deputy Speaker:** Further debate?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):**

This motion really is tailor-made to the McGuinty government's growing list of failures with respect to Caledonia and Six Nations. I hear concerns on two fronts: lack of leadership, leaving people on the ground to take the reins; and secondly, a bad job at communicating—communicating with all sides, essentially. The result is that people feel they are being treated like mushrooms.

I went behind the barricades on the third day. I have previously raised this issue at Queen's Park with the minister responsible for aboriginal affairs. I contacted the federal Ministry of Indian Affairs. I went to Ottawa. I took material to the Governor General. From all branches and all levels of government, I continue to be stonewalled. The federal minister said this is a provincial issue. The provincial minister said this is a federal issue.

On April 12, the provincial minister reversed course and took ownership of Caledonia as a provincial issue. He said in this House, "We'll be playing a lead role." But by June 3, that same minister, the minister for aboriginal affairs, reversed himself and said, "The province has done all it can do to solve the problem in Caledonia and Six Nations. Now it's time for Ottawa to step up." That was last weekend. But on May 24, Ottawa had previously said the occupation is provincial.

So here we are in the middle. People in Brant county, Haldimand county, Caledonia and throughout Six Nations are caught. They have walked through and suffered 97 days now of confusion and time lost, and both levels of government continue to point the finger at each other. Rather than tackling the important issues, this government waits for them to explode. You blame the federal government, you hide behind a political friend; then you admit failure and leave a total vacuum of leadership and communication.

However, the problem remains. At 1:30 this morning I watched a very large barn burn down on highway 6. That's one mile south of the barricade. Questions are out there: Who torched it? Who do we call to find out? Again, we remain in the dark. Lack of communication and lack of leadership has exacerbated these problems.

We all are striving to determine what is driving this. The Places to Grow legislation was mentioned by Mr. Tory. I feel that is one catalyst. The greenbelt is leapfrogging growth out of the Golden Horseshoe. People at the occupied site, people behind the barricades tell me of their concern with four million people coming down to the Niagara-Hamilton-Toronto area within the next generation. I know elected Chief Dave General has reports of five million people. That's a lot of new subdivisions; that's a lot of garbage; that's a huge impact on water quality. A mass of subdivisions is envisioned being built on the full eastern boundary of Six Nations and on the northern boundary.



People see reports of Brantford booming. They know of reports of another 200,000 people coming to the Waterloo region. Again, all of this population growth is along the Grand River within that six-mile tract on either side. This is obviously a threat to hunting and fishing—for example, carp, urban squirrels or perhaps the Norway rat. It's seen as a threat to people's culture, to their way of life, and a threat to generations hence.

There are other drivers: land claims, of course; a perceived lack of respect; lack of recognition; lack of having a voice; racism—I've witnessed racism—and I could go on. There will be future incidents. As occupied site spokesperson Janie Jamieson has said, "Caledonia will be precedent-setting up and down the Grand River."

What this motion suggests are tremendous voids in leadership and communication. There is evidence. I've already mentioned how the McGuinty government initially responded with finger pointing before taking ownership only after day 42 and then dropping ownership on day 95. On May 9, I put out a warning about the prospect of the lights going out. On May 22, the lights went out. On May 9, the minister said, "I am not aware of an expansion of the area of occupation," but it is the minister's job to be aware. The perimeter had moved at that time to north of the river.

Once the Argyle Street barricades came down, the Premier attempted to communicate from a media studio in a city somewhere. Again, we heard the suggestions that the Premier, at that time, was a day late and a dollar short. It was seen as an attempt to take credit for someone else's success. It was seen to fan the flames: "Why won't the Premier thank the people of Caledonia and within Six Nations for doing what he couldn't do at that time: getting together on the ground, on the street, and getting those barricades down?"

Communication: I continue to get so many e-mails. I've sent out close to 2,000 e-mails just from my office—phone calls and letters and faxes and conversations constantly in garages and shops up and down Highway 6 and at Ohsweken. People are asking, "Are the negotiations still on?" Maybe they are; nobody really knows. There's a deafening silence which leads to speculation.

What is the McGuinty government offering in these negotiations? We get the odd snowball answer along with some heckling from the Liberals, but no real response. Is Burtch still on the table? Was it offered? Was it taken away? Why was it taken away? If land is being offered, are area MPPs being informed of what's going on? Again, we're kept in the dark. How do these land claims impact Brantford? How does it impact the Waterloo region, let alone Caledonia?

Rampant confusion: In addition to disrupting of communities, traffic issues remain an ever-present disruption to business. When ministers are sometimes allowed to answer, we don't get much of an answer and we hear nothing from those who are muzzled. Because they would be forced to answer—and this is one theory—as Minister Ramsay has. They would have to acknowledge that they as well are in the dark and really don't seem to know what to do.

We know this is a law and order issue. This past week, Ontario Superior Court Justice T. David Marshall ordered all parties to come before his bench to provide answers for why court orders have not been enforced. There might be a good reason; we don't know. There's no communication. There's no leadership. We have no idea. Again, people in the communities affected can only speculate.

I've seen the total breakdown of law and order on both sides of the barricade—on all sides, I will add. I've seen symptoms of frustration about being left in the dark, seeing no leadership from government, broken deals, and 97 days of disruption.

I will be supporting this motion. I've seen the failures; I've heard the silence. We haven't seen any elected members of this government in Caledonia or the Six Nations area as yet. John Tory, as we know, has visited on three occasions. It's time to figure out just where the wheels fell off this whole response from the McGuinty government to the Caledonia-Six Nations issue. To vote against this resolution would continue to ignore the reality of the situation, and it's a reality that very clearly cannot be ignored for long.

1610

**Mr. John Milloy (Kitchener Centre):** It's a pleasure to participate in today's debate. I'm the first member of the government who will be speaking to it, but I know there are a number of members, including Minister Ramsay, who are anxious to speak about this motion.

I had a chance to review the motion over the weekend and was quite frankly shocked by its contents. I guess I was shocked because when it comes to issues surrounding Canada's aboriginal communities, Canada's First Nations communities, I'd always thought there was a consensus that existed here in this Legislature, here in the province of Ontario: first of all, a genuine concern for the plight of Canada's aboriginal peoples. I think all of us who have had a chance to be involved in public policy have been disturbed and at times shocked by many of the challenges that our aboriginal communities face in terms of poverty, in terms of access to education, in terms of access to opportunities. Canada is, unfortunately, a country which is not vacant of the problems of racism and other maladies which affect the way in which aboriginal peoples are treated. There is a whole range of issues with which I think we as public policy-makers have to be extremely concerned.

Tied up into all of that is the whole issue of land claims, the fact that many aboriginal groups across this country have very legitimate claims upon pieces of land. They have the right to question treaties that have been signed in the past and to ask for them to be clarified, to ask for negotiations to be undertaken to make sure that those claims are resolved. These claims, as we all know in this Legislature, go back many, many hundreds of years, and addressing them is not an easy task. Courts are involved, commissions are involved, negotiators are involved, and it takes a great amount of time, a great amount of patience, a great amount of fairness in order to



reach justice. But I think that we all agree in this Legislature that when it comes to these claims, they need to be settled, and they need to be settled in a way that is fair to all sides.

The second background assumption I had was that everyone thought that what was going on in Caledonia was a very unfortunate situation. I think all of us have been disturbed by what we've seen in the media, by the tempers that have flared, by the roadblocks, by the rising tensions in that community. I don't think anyone across this province is not anxious to see the standoff come to an end. I always thought that everyone wanted to work for a peaceful resolution of the Caledonia situation. I think all of us in this government have been working with all parties to facilitate this peaceful resolution. I want to congratulate Minister Ramsay, the Premier and other members of cabinet for what they've been doing to try to facilitate this resolution in Caledonia.

I come to the point of why I'm shocked, then, with the motion that has been put forward. I'm shocked because I thought it would have been the view of every member of this Legislature that we need to put aside some of the partisanship here, that we need to put aside some of the back and forth which underlies a lot of the day-to-day things going on in this Legislature, that we recognize how serious a situation it is in Caledonia, that we need to rise above this partisanship, and that we need to work together to find a peaceful resolution. Once in a while, I think it's time for issues to come to the surface where all parties appeal for some calm and appeal for everyone to sit down and find a way to work forward.

This motion is attempting to divide this Legislature. It's attempting to divide Ontarians. Perhaps more shocking about this motion is that not only is it placed in some sort of a vacuum and not only does it deny the very long history that surrounds the Caledonia situation, but it also ignores the role of the other major partner in these discussions, the federal government.

The current dispute in Caledonia, like so many disputes across this country, goes back over 200 years. In fact, the current round or current phase of negotiations about a series of land disputes goes back to the early 1970s, with the current set of talks going back over two years, when the province, the federal government and representatives of the Six Nations sat down to begin to discuss some of these particular issues; in my understanding, two of the 29 outstanding land claims of the Six Nations reserves. These are claims that are primarily between the federal government and the Six Nations reserve, but Ontario has consistently taken a leadership role in these discussions and has certainly called on the federal government to join us in being front and centre. We've appointed David Peterson, a highly respected former Premier, to help us out in terms of some of the discussions and negotiations that are going on right now in Caledonia. At the same time, we've asked Jane Stewart to be the provincial representative in sitting down in some of the talks that are underlying some of the issues that are going on within Caledonia. We've offered \$500,000 in interim assistance to businesses in the

Haldimand area in order to help them deal with some of the challenges that have come about due to this dispute. But most importantly, we've continued to talk, we've continued to negotiate and we've continued to work for a peaceful resolution, because that's the only way forward. I think all of us have seen far too many instances in the past when tempers have reached the boiling point and where a misstep on one side has led to tragedy. What we need to do is continue the negotiations and continue these discussions. I think we're starting to see progress there.

Other things which I find more than a little passing strange about the Leader of the Opposition's motion that he presented today involve the whole issue of the Ontario Provincial Police. Let me say at the outset that I have been very proud of our government's relationship with the OPP. We have continued to recognize the need for an arm's-length relationship with the police force and have allowed them to make the types of operational decisions that they feel are necessary, depending on the situation. In the Leader of the Opposition's motion, he makes some rather bizarre claims about the need for compensation for the OPP. Now, the OPP has assured the government that they have sufficient resources to provide policing in Caledonia while also maintaining their other provincial responsibilities. Neither the OPP nor municipal police services who have provided backup to the provincial police have requested additional funding of the government, and the government of course would support such a request if and when it's actually made. As I said at the outset, the government continues to leave the deployment of OPP officers in the hands of the OPP commissioner and our senior staff.

The other aspect of the Leader of the Opposition's motion that I find passing strange, again, is his ridiculous suggestion that somehow this is tied to the Places to Grow Act. As I said, this is a dispute going back over 200 years—the current phase of discussions going back over 30 years. The history of the Places to Grow Act doesn't go back as far. In fact, it's rooted firmly in the work of the Central Ontario Smart Growth Panel, which was established in February 2002 by the previous government under then-Minister Chris Hodgson and chaired by Mississauga Mayor Hazel McCallion. The recommendations of the panel included developing and passing legislation to support smart growth planning. Indeed, when the Places to Grow Act was first tabled in the House on October 28, 2004, my colleague the member from Erie-Lincoln noted, and I quote, "In many senses, many parts of this are simply a red ribbon tied around good Conservative ideas."

The Places to Grow Act is a separate piece of legislation which was brought forward to deal with many of the planning issues in southwestern Ontario. To throw it in as some sort of red herring, as the Leader of the Opposition does, I think downplays the importance of the ongoing negotiations between the province, the federal government and Six Nations, which span many years. Furthermore, the Ontario growth secretariat has engaged Six Nations and consulted with them on the proposed



growth plan since April 2005. While the proposed growth plan will not apply specifically to First Nations reserve lands which are not subject to Ontario's land use planning system, the underlying objectives of the plan align with and support the objectives of Six Nations to ensure better land use planning.

I think everyone recognizes that the events at Caledonia have been serious. I think all of us are disturbed at what we've seen on our nightly newscasts or read in the newspapers. All of us are looking for a peaceful resolution. Unfortunately, in so many instances, peaceful resolutions are never easy. We're talking about issues that go back for many years, many decades. We're talking about very complex issues involving different orders of government. I think we have to thank everyone who's involved for their patience. We have to continue to encourage them for goodwill.

1620

In terms of the resolution that's before us today, I think we have to call on all members of the Legislature to put aside the partisanship and the back and forth which sometimes muddies the water here. I think all of us need to stand and support the efforts of Mr. Peterson and the other negotiators at Caledonia, first of all to disarm the situation there and then to deal with some of the underlying problems that go forth.

I think the motion that has been put forward by the Leader of the Opposition does nothing more than sow mischief. It contains a number of red herrings. It doesn't recognize the historical realities of the situation and it certainly doesn't recognize the role that has been played by this government in taking leadership.

I will not be supporting the motion, and I call on my colleagues to vote against it as well.

**Mr. Robert W. Runciman (Leeds–Grenville):** You can tell by the member from Kitchener Centre's comments that he wasn't here when the Liberal Party was in opposition when he talks about partisanship on these kinds of issues. He should review the history and the opposition day motion put forward on Ipperwash by the Liberal Party of Ontario.

I appreciate the opportunity to participate in the debate on the motion of the Leader of the Opposition, John Tory, dealing with Caledonia, the longest-running native occupation in memory. As someone who was on the receiving end of questions and accusations surrounding the occupation of Ipperwash Provincial Park from the then Liberal opposition, it truly saddens me that once again we find ourselves in a situation that in many respects is significantly more serious than Ipperwash. The positive distinction with Ipperwash is that we have not had a fatality at Caledonia, and thank God for that.

However, what we have witnessed at Caledonia should be disturbing to all caring Ontarians. We've seen violent clashes between Caledonians and native occupiers, a bridge being burned, roads torn up and a transformer station knocked out, plunging thousands into a power blackout and costing \$1.25 million in repairs. We have also seen public roads and a railway spur block-

aded. Yesterday, as unbelievable as it might seem, a security guard's car was torched and police officers who drove, mistakenly, into the occupied area were escorted out of what a Six Nations spokesperson described as a no-go zone: a no-go zone for Ontario police in the province of Ontario.

The McGuinty government's reaction to the occupation, the violence, the blockades, economic losses and the deteriorating relationship between native and non-native populations has been to offer the occupiers property worth millions of dollars, to blindside the developers of the occupied property with a development moratorium that they had to read about in the newspaper and, of course, to blame others.

The regrettable reality is that the good citizens of Caledonia are reaping what Dalton McGuinty and his Liberal colleagues sowed in opposition with their attacks on the Harris government, and by implication the OPP, in the aftermath of the Ipperwash shooting. For years, McGuinty and his acolytes in the media implied that Harris and his cabinet colleagues, with the complicity of the OPP, somehow encouraged officers to attack the occupiers, resulting in the tragic death of Dudley George.

As someone who was there, I knew the accusation was completely false, but McGuinty, sensing political blood and not recognizing implications down the road, carried on the attack right into the current government's now multi-million dollar inquiry into Ipperwash. As a result, Mr. McGuinty has hobbled himself and his government in terms of approaches to the Caledonia situation, and he has also handicapped the OPP.

Their failed April attempt to enforce the injunction was a politically correct exercise sending in ill-equipped and for the most part untrained officers to deal with a powder keg situation. The result was a huge humiliation for a wonderful police force, the OPP, when they were forced to retreat with their tails between their legs. Who can fault the OPP? They knew, based on past words, that they couldn't count on the McGuinty government to support them. That was reinforced in question period the day after the botched raid, when the Premier put on his three-blind-mice routine: didn't know anything about it, didn't want to know anything about it and wouldn't commit to anything to address it. In Premier McGuinty's office it appears that ignorance is bliss, or at least safe political territory.

At the end of the day, the Caledonia occupation is all about failed leadership. Mike Harris, despite his faults—and we all have faults—was a leader who felt strongly that laws had to apply equally to all Canadians, and that to do otherwise would seriously undermine the rule-of-law principles that this country and this province were built on.

Mr. McGuinty in opposition, however, took a different approach, and with the prospect of short-term political gain went down a path that opened the door to future confrontations, with Caledonia, I fear, being just the start.

Constitutionally, aboriginals in Canada have special rights, but those rights don't extend to breaking the laws of our country and our province. Mr. McGuinty has



clearly demonstrated his inability to deal with the Caledonia situation, unless it involves negotiating concessions that could provoke further Caledonias. First Nations leadership, we should mention, has also been missing in action in Caledonia—an absence that undermines respect for their efforts in other areas.

This is an extremely difficult and volatile situation, and we hope and pray that today's motion will encourage all parties to work towards a speedy resolution that is fair to all and doesn't preclude the laying of appropriate criminal charges at the end of the day.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** It's a pleasure to rise in my place in the Ontario Legislature today to talk about an issue that has certainly taken up a lot of my time and a lot of the time of the Aboriginal Affairs Secretariat of the province of Ontario.

The Premier of the province, Dalton McGuinty, many other of my cabinet colleagues and hundreds of government of Ontario officials have been working—many of them literally night and day—putting their heads together to come up with solutions to this particular challenge.

This is a very complicated issue, and from all the events that have transpired over the last two and a half months now, it is quite evident, I think to everyone, how complicated this is, just going back as little as last night when a police car made a wrong turn, and how that got quite a few of the residents of the Six Nations quite excited as they saw a police car come in where normally that car wouldn't venture. It caused a bit of excitement then. I think the public appreciates the tension that's there on both sides in this area and how difficult this is. As I've mentioned, literally hundreds of people in the Ontario public service have been working as a team on this.

I think I'd start with a bit of the history here. There's ancient history to this and there's recent history. I think everybody understands the context—the ancient history, if you will, that in 1784, it was the British crown that granted the Haldimand Tract, which was described at that time as six miles either side of the Grand River, from the mouth of the river that opens into Lake Erie all the way up to the headwaters, which start around Orangeville. The idea of that reward for the contribution of the Six Nations in fighting the American rebels during the Revolutionary War was that they would occupy some of that land and that they would receive value for the disposition of that land as the settlers came into that part of Ontario. A trust account was to be established, and they would be credited with the disposition of that land.

The dispute really is an accounting claim, by and large. While there are some particular parcels that are involved in a land claim, the overall dispute is an accounting claim. The claim made by the Six Nations is: Were they properly credited with all the value of the land that was transferred from that tract? It was a gift from the crown at the time.

1630

There are some particular land claim issues there, and about 28 of them have been a focus over the last few

years. We acted upon a letter we received in the summer of 2005, where we accelerated the process of exploration of these claims. A couple of the parcels, the Six Nations asked to go to litigation, and that gave us the opportunity to give those some special attention. So we've been working on this issue, trying to resolve this issue, over the last few years.

Chief David General of the Six Nations had been telling us and many in his community of the progress that was being made, but there were many in the community who didn't appreciate that progress and were getting impatient. I think what exactly happened was that this spring, when the showpiece model home in the subdivision of Douglas Creek Estates sprang up—and it's basically right at the end of one of the roads leading to and from the Six Nations reserve—it was just something that was in your face and it got many of the people on the reserve quite excited with a sense that their land was being lost to this.

I think people have to understand that this development was only given approval when all the procedures were followed and everything was passed, one of those being that the chief and council of Six Nations had signed off on the development of Douglas Creek Estates going forward. To have gotten to that point, an archaeological study had also been executed and completed and passed satisfactorily. So there were procedures in place that have been established down there in the Haldimand Tract in regard to development, and those procedures were followed. But what we had here was a segment of the community that didn't accept the process that was ongoing and didn't want to see development going on in the Douglas Creek property.

Some of the background to this—and this is why this particular dispute has some very particular matters attached to it that are unique to this First Nation. Traditionally, Mohawks have a hereditary style of government, a style of government based on hereditary chiefs. But in 1924 the federal government imposed upon First Nations in Canada a first-past-the-post electoral system, very similar to what we have here in municipal, provincial and federal elections. By and large, most First Nations accepted that electoral system to elect a chief and a council who would then hire a band administrator who would administer, just like our municipalities do, funds that the bands have. In this case, this was imposed upon First Nations because primarily the resources that are managed by First Nations are monies that are transferred from the federal government to First Nation communities. This electoral system was imposed upon this First Nation at gunpoint by the RCMP, so there is a bitterness there about that imposition of this so-called democratic system of government.

While we consider it one of the most and best democratic ways of selecting a government, this strikes against the tradition of Six Nations and of Mohawks in general. So there never has been a full acceptance of this electoral system, that we commonly participate in as non-native residents of Ontario. With that, you have maybe 12% of the population partaking in these elections, and you have



various people competing for the jobs of council and chief. So there is not a broad engagement by the population in the electoral process, and this makes it very difficult to govern there.

In fact, what has happened since the Douglas Creek Estates dispute is that the elected chief, David General, and the council have delegated authority to the Haudenosaunee chief the responsibility of at least dealing with the disposition of the Douglas Creek property, and how that's going to be dealt with. Right now there's some shared responsibility between the elected chief, David General, and the Haudenosaunee chief, Allen MacNaughton. So there is right now some shared jurisdiction. Part of what we and the federal government wanted to do over the last few years too was to assist the community in working out a governance model that would be acceptable to both levels of government and the people of Six Nations.

That's one of the underlying complications in this issue. There are various players involved representing Six Nations itself, so it's not a simple negotiation, as one might find within the business world, for instance, when a multinational corporation sits across a table from its union, where the procedures and structures of that organization are very clear to both sides and there are direct lines of responsibility. This is a very different negotiation.

In fact, I know part of the frustration that people find is the timeliness of these talks. That is because of the extreme democratic nature of Mohawk politics and of First Nations politics right across this country. When we, in our first-past-the-post electoral system, get elected and an executive is sworn in, we basically have responsibility in each of our ministerial roles to govern the province. In First Nation communities, leadership will consult, some would say to a fault, back to the people who sent them there so that there is always consensus being built. It's a very different system in that while governing, even as a majority government, we'd like to find consensus and work with stakeholders, at times we will make a decision based on our authority that might not have the acceptance of everyone involved. That is very contrary to aboriginal governance; they work very differently. That takes time, so we will see great pauses in the negotiations, for days, while consultations are led by the leadership of the other side with their community.

That's another complication. I think that lack of understanding of that political system builds frustrations in the non-native community. But it's something that I think we have to appreciate and, as I have instructed our team, something we have to accommodate for. We're doing that because the goal here that we have as the Ontario government led by Dalton McGuinty is to find a peaceful resolution to this.

The other side of this—so far I've just addressed the aboriginal side of this. I want to talk about the residents of Caledonia, who have been severely impacted by this dispute. I know everyone in this chamber has been aware of the efforts that we have made as a province in working

towards returning the community to normalcy. We've had some success, but not total success, in doing that.

As everyone knows, about three and half weeks ago now, we appointed former Premier David Peterson to be the lead in the short-term negotiations. He has done a tremendous job in doing that. Since he has taken over that responsibility, we have seen the removal of the Argyle Street barricade, which was the most disruptive of the three barricades that had been in place. That's the one that basically blocked the main traffic of the main street, so that the stores along Argyle Street were not easily accessed. Of course, we saw how many of the businesses had lost their traffic by up to 50% and had suffered losses accordingly.

Because of that, we have stepped in. It was over a week ago that my colleague the Minister of Economic Development and Trade, Joe Cordiano, went down to Caledonia. He established a fund with the county for \$500,000 to help the businesses that have been hurt in that area. They've had severe losses. I know many of them were on the brink of bankruptcy because of these sustained losses. So there's been that. We have established two \$50,000 funds to the county to do some work at their end, one of them to market Haldimand county and to work on economic development plans for that region. We have been working with both sides, because both sides have been impacted by this.

**1640**

I would also say that I know the members of the assembly here are aware of the long-term working group that the federal and provincial governments have put together. We're very pleased with the co-operation of Minister Jim Prentice, my counterpart in Ottawa, for his appointment of former cabinet minister Barbara MacDougall to represent the federal government at this long-term table. We have also appointed a former federal cabinet minister, Jane Stewart, who is the former Minister of Indian and Northern Affairs in Ottawa. Both of these negotiators bring tremendous experience to the job.

We're at a point now where we think that Ontario has probably exhausted all the tools that we have available to us to solve the short-term dispute. We see, as the long-term working group commences its discussions, that the short-term dispute is naturally evolving to that table, and probably rightfully so. That table is preparing to take on and address that. Obviously, the crux of all of this is the final disposition of Douglas Creek.

That brings me, obviously, to the other injured party here, the Henning brothers, owners of the Henco development company. They are the developers of this particular property, who are hoping to build 600 homes on this property as Caledonia is expanding to the south, a rapidly growing community southwest of Hamilton.

The Henning brothers realize now that the value in the property is not what it was once and have entered into negotiations with the province, and we continue to talk to them about the property. In the interim, we have given them some capital as bridge financing to make sure that they do not go bankrupt. We've also worked with the



builders that had been associated with the developer, who were planning on being partners with the developing company to build those homes there, to help them out because they obviously have been in severe financial jeopardy too.

We've been trying to address all the concerns of the community and the various players there. We've also set up a working group called the alliance. This is a working group of business people in Caledonia, municipal representatives and other community representatives. There are daily meetings going on between government officials and this alliance group in order to communicate to the community exactly what's going on on a day-to-day basis. One of the concerns that was brought to our attention very early in this dispute was that because of the negotiations going on, a lot of people didn't understand what progress we were making, what was going on and what was being asked of us. So we've established this alliance working group where we communicate on a daily basis with this group, and have also set up an 800 number with this group so that the public has access to information as news breaks here.

We're doing everything we can and I think that's the message I would want to get out today to the people of Ontario, that we are marshalling all the resources we have in the provincial government. We are partnering with the federal government and certainly asking them to continue to be a partner with us at the table. As we get further down the road on the long-term working group, it will in the end be the tools the federal government has that will see the resolution to this dispute. It is only the federal government that has the tools to resolve an outstanding land claim that needs to be brought to the table. They are there, and we are certainly encouraging them to continue the work with us, as they have been. I think in the end we are going to get through this.

I would ask the members, and I suppose especially the official opposition, who today have brought forward this resolution, to have patience. I find it passing strange, as their ex-leader had once phrased in this House, while we are in a dispute and not at resolution yet, to be talking about a post-mortem about the situation. But they've decided to do that today. I suppose our time might have been better spent here in working together, all three parties, in trying to find a resolution to this.

This not a partisan issue. This is not a political issue. This is a challenge faced by both the provincial government and the federal government as to how best can we settle the outstanding claims by aboriginal people that this country faces? As I said earlier in question period, there are over 1,000 outstanding land claims in this country and many of those have been outstanding for hundreds of years. It is time that all levels of government get together. I think what is going to come out of the long-term working group here in Caledonia, for Ontario, is that in the end we are going to design and develop mechanisms to better expedite these outstanding land claims. If one could, in the future, look back at where we will finally resolve this issue, I think what we're going to

be able to say, if there is some good that has come out of this dispute, is that in the end—and I'm hopeful this will be the case—we will have developed an expeditious approach to solving outstanding land claims, at least in Ontario, and hopefully, through that, maybe develop a prototype that could be used right across this country.

This is something that really has to be resolved. It's a nagging problem that nags this country. It holds our aboriginal people back. It prevents them from truly sharing in the economic wealth of this country and it has got to be resolved. This particular dispute in Ontario has brought this to a head. We have to deal with it now. I think, in the end, we will get this resolved and we'll all be the better for it.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to make a few comments today supporting our leader's opposition day motion.

First of all, I want to say to you that I understand what a difficult situation Caledonia has been. I want to thank our leader, John Tory, who has visited Caledonia at least twice and has made this a very high priority as he has tried to work, I think in a non-partisan manner, to try to bring resolution to this.

I'd like to make a few comments today in support of the Ontario Provincial Police, who appear to be, as one police officer mentioned to me two weeks ago, the meat in the sandwich. I say that because we've had a number of officers present at Caledonia since February 28 of this year. At times, in the vicinity of 200 officers have been present at Caledonia. It's been a tremendous, tremendous burden on the Ontario Provincial Police's budget. I wanted to make sure people are aware that this is a budget where the field and traffic division had already been cut by \$31 million this year. So trying to find that \$31 million, as well as finding the costs that are associated with Caledonia, would be important for the government not only to address but, if the government wants to work in a non-partisan manner on this issue, I'd like to see some answers come back to this House on what these costs are.

There is no question these costs are affecting the OPP budget. They're affecting municipal police forces and of course they're affecting the general officers in the Ontario Provincial Police because, as one officer told me last Friday, they're tired. This has gone on a long time, over 100 days now. It's having an impact.

One thing the minister could come forward with would be to provide that information to this House. For example, what has it cost? I have seen nothing to date. He says it's all part of the overall budget and it's not having any impact on anything else. I don't buy that, not when I talk to officers from across the province. They seem to have a different opinion than the minister does on it. I can tell you that—my guess right now—it's costing close to \$3.5 million out of the Ontario Provincial Police budget every month that this goes on. I'd ask that the minister, if anyone has any more accurate information than that, come forward with that and provide us with the detailed information, because it is having an impact. I



just want to know that in a busy holiday season like we're about to embark upon—we've just finished the May 24 weekend and we've got the long weekend coming up in July, which is one of the busiest days of the year—we have the officers on our highways and we have the officers near our provincial parks. There are often literally thousands and thousands of people at some of these provincial parks. We need to have that police presence, and I want to make sure that those officers are available in the summer months. Right now, I think they're going to be more tired than ever and that we won't see the numbers we would normally see.

1650

I was very concerned when I asked a question, even today, on the terrorism attacks, because I think it shows a sense of leadership. The minister refused to answer the question or the supplementary. He went on about something with Norman Inkster, that he didn't fire them. The question was, what additional resources were they providing? Then, when I asked him the CISO question about the \$1.76 million, he said he hadn't made any cuts. I acknowledged that but I asked him, was he going to make the cuts next May, May 2007, and he refused to answer the question. This is no longer question period, because we certainly don't get any answers anymore, answers to anything. That's what's kind of sad about the place. You look for honest answers and you look for accurate answers and you get nothing out of it. That's very disappointing.

This issue at Caledonia, the blockades etc., what I'm hearing from people from across my riding, which is almost 200 km from Caledonia, is, where's the leadership? Where is the leadership on this issue? We have not seen the Premier at Caledonia. We have not seen any cabinet minister at Caledonia. We've never seen the Minister of Community Safety and Correctional Services. We've never seen the Attorney General. That's a sense of leadership. We've got a crisis here, we've got a situation that I think needs true leadership, and Dalton McGuinty is nowhere to be seen. At the same time, they're asking us to pass Bill 56, the emergency management act, which gives more power to the Premier than ever. We're supposed to listen to that, when the guy is lost in action? He has hidden under his desk or something, somewhere. He will not visit Caledonia. That is disgraceful. There should be a cabinet minister's presence weekly at Caledonia until this thing gets resolved. At least it would show some faith that the government actually cares about this particular issue and cares about the Ontario Provincial Police, who have become the meat in the sandwich, as I said earlier, on this very difficult issue.

I will be supporting this resolution and I support my leader for his leadership on this file. There's not a lot he can do at times, but at least he can bring to the attention of the public that we're seeing absolutely no leadership whatsoever at Caledonia from Dalton McGuinty and his cabinet.

**Mr. Gilles Bisson (Timmins–James Bay):** It's unfortunate that we have to be in this Legislature, debating this

particular motion. Let me explain why. We never should have been put in this situation in the first place. This is a long-standing problem with First Nations, not only here in Ontario but across this country. Whenever it comes to resolving the grievances or issues that First Nations have had for many, many years, before federal and provincial governments, it has always been pretty well much the same: a federal government missing in action, that's indifferent, that quite frankly has followed a policy of assimilation and a policy of neglect to where First Nations, no matter where they might reside—in southern Ontario, northern Ontario, BC or wherever it might be—find themselves always in a position of being basically without. I represent, as do other members in this House, many First Nations. I represent mostly Mushkegowuk Cree and the Ojibways of the central Ontario area around Timmins. I can tell you, for those of you who have been into those communities, that you will see a lot of poverty. You will see poverty in those communities like you see probably in many other places of the world where poverty exists. I always remember being at a conference one time with parliamentarians—I forget where it was, somewhere in Europe—and a Canadian senator stood in the middle of this assembly of legislators from across the world and was admonishing the European countries for their treatment of people in Third World countries and was talking about Canada being the upstanding example. I just reminded the person afterwards that if that was truly the case, then we should be able to point to First Nations communities as being the example of how Canada is a leader when it comes to dealing with people fairly. The senator recognized the error of his ways and found that Canada has nothing to say in regard to admonishing anybody else; all we have to do is look at our First Nations.

Why are we here with Caledonia? It's much the same story as is the case of most other First Nations. The federal government, first of all—and there's blame to be sent to both sides, but I'll start with the federal government because at the end of the day you would think the federal government would have some interest in resolving this—has not listened to the grievances that have come from the Six Nations community for many years now. Then, as is normally the case, First Nations for a long time would never look to the province for a solution to some of their problems. I believe they should be looking to the province for many of their solutions. I'm going to get into that a little bit later. Why? Number one, because they are Canadian citizens, and Ontario citizens in this case; two, we do have jurisdiction. We're the ones who do planning, who do development—all those things are municipal in nature. Three: In many cases, we've signed the treaties.

It always amazes me when I listen to governments of all stripes in this place, specifically in the Legislature here, turn around and say, "Oh, well. That's a federal responsibility," and I know full well that we, as a province, signed on to the treaty. You say to yourself, "Well, if the provincial government was there on signing and the



crown was representative of the federal government on signing and the First Nations signed in good faith, why would the province not accept its role?" There's where we go further into the Caledonia situation.

Caledonia is nothing new. What has happened in this particular grievance is one that has been long-standing. Anybody who lives anywhere near Six Nations or anybody who knows anything about what goes on will recognize that this issue has been around for a long time. They have been looking at trying to resolve this for many of the reasons that the Minister of Natural Resources laid out in his debate. Hence the problem: Nobody has listened. It's the same old game, right? The feds bounce the ball to the province. I heard Prentice and I heard Harper say, "It's a provincial responsibility." Then I hear, coming from the Legislature, from the Minister of Natural Resources and the Premier, "It's a federal responsibility." And we pass the ball back and forth. In the meantime, it's like playing hot potato: Nobody wants to catch it.

Meantime, the communities in and around the area of Caledonia are in the situation they're in with the blockade, and it's not fun for them. I can attest to that. More importantly—or as important, I should say, to correct myself—the First Nations have not had their particular grievances resolved.

All I say is, listen, let's all recognize something here in Ontario. The federal government's missing in action. I'd given up on them a long time ago. If I had to wait for the federal government to resolve any of the issues in our First Nations on Timmins–James Bay and if every time I was approached by communities in my riding, I was to say, "Oh, that's a federal responsibility," there wouldn't be a brand new school in Fort Albany. We wouldn't be doing many of the things we're doing when it comes to health care, as far as building an integrated health care system on James Bay. We're actually going to transfer it over the province, where we know how to run health care, and the federal government doesn't. You can't wait for the federal government because, quite frankly, they're indifferent. They don't care.

I listened to Jean Chrétien and I listened Paul Martin make all kinds of promises to First Nations and say, "Oh, Lord, we love you. Let us give you a hug. Be part of our advisory committees. We love you; we're going to do all kinds of things for you." They've done what every Liberal/Conservative government has done in the history of Canada, which is basically ignore the issues of First Nations. In the case of Caledonia, to a large extent, that's exactly what the federal government did here and that's exactly what Dalton McGuinty has done as well.

What should have been done—well, it's like being a Monday morning quarterback. I can sit here and analyze every play that's going to happen in the first game of the NHL playoffs with Edmonton. When Edmonton wins, I'm sure I can sit back and analyze every play and pretend that I know how they could have got more scores and how they could have saved themselves in a couple of situations, but that's easy to say. I think what we can say

safely is, what it takes is action. It takes an engagement on the part of the province. I can't speak for the federal government because I'm not a federal legislator, I'm not an MP. Quite frankly, they've been missing in action for too long. It takes action on the part of this province to say, "There's a problem on Six Nations when it comes to this issue. We know that this thing is going to come to a boil. Let's sit down and let's try to find a resolution to this before it comes to a boil."

1700

What those solutions are would have been a matter for—we can sit here and debate this for the next hour that we have and second-guess what could have been put as far as recommendations for resolving this thing way back when. I'm not going to get into the detail of it. All I'm going to say is, you go there and you say, "There is a problem. Let's try to fix it."

We deal with that on a monthly basis, at least, in the James Bay. Both my federal colleague, Charlie Angus, and I deal quite a bit with First Nations in regard to a number of issues. For example, this last week you would have seen in the media where Jim Prentice, for some reason, decided there was no agreement that was signed between the government of Canada last fall and the community of Kashechewan to relocate that community. Don't ask me why Jim Prentice did that. I thought it was the stupidest thing. There is an agreement by the federal government that's signed with the First Nations that they were finally going to relocate that community to higher ground, and Jim Prentice all of a sudden started doing the dance of the seven veils and started making all kinds of comments and suggestions that would slow down the process.

I can tell you, the community of Kashechewan—which has now spread out from Thunder Bay to Hearst to Sudbury to Timmins to Kapuskasing to Cochrane and Greenstone and a number of other communities—was quite upset, and a number of them wanted to get on the buses and they wanted to hold a blockade. The potential was, we could have had blockades in each one of those communities as of this weekend, but Charlie and I got on the phone and we met with the band council and we started having some discussion. We said, "Hang on a second; there are some other things that we can do here. We think that Prentice has messed up. He didn't realize where he was going, like most other ministers of Indian Affairs, who never really understand what they're doing."

Charlie went back and had a chat with Prentice on Friday and started to put the pieces back into the box. On Sunday morning, we met with the band council. We were on the phone with a number of different people who were calling both Charlie and me, Chief Leo and Deputy Chief Rebecca and others, and we dealt with it. We said, "Hang on; let's cool our jets here. Let's realize what's happened. The minister has made a very fairly large tactical error, and we need to find a way to put this thing back together again."

I'm confident that we seem to be going in that direction as of this morning. From conversations I've had with



my federal colleague, Charlie Angus, we're certainly going in the right direction to getting the federal government to recognize that there was an agreement that was signed with the First Nation, and we're going to move forward.

How does that relate to Caledonia? My point is this: We sat down and we talked. We didn't wait until this thing became a powder keg. I would never do that, because I think at the end of the day it would put me in an untenable position as a provincial member of Parliament. But if I'd sat on this thing last Thursday and had said, "Oh well, what happens, happens," and didn't take the time, along with many others, to sit down and to build the good will that we have over the years, the city of Timmins, the community of Cochrane and Kapuskasing and Hearst and others who've been with First Nations on the James Bay, building those relationships so there is trust, this thing could have blown up into a powder keg.

My point is, and I know my good friend Mr. Levac feels the same way I do: You sit down and you talk to people. And you know what? Sometimes that can be very tough. I'll tell you, I've been at some community meetings, I don't care if it's aboriginal or non-aboriginal, in Kapuskasing, for example, back in the early 1990s when they were going to lose their only employer, Kimberly-Clark, I remember going into that community with Len Wood and Shelley Martel and talking to people. I remember that at one point they blockaded us in the community. They blocked the highways going in and out of Kapuskasing until such time that a solution was found.

I wasn't threatened by that. I took the view—and so did Shelley and Len—that we had to understand that these people were mad, they were losing their only employer, and the provincial government representatives were there and they wanted to have some answers to their questions. Yes, it was tough; it was hard. They yelled at us, they screamed at us, they were pretty tough on us, but at the end of a fairly long meeting, people started saying, "Well, at least they're listening." That's the first step.

We couldn't tell them then and there in that meeting that we could do X, Y and Z, because we didn't have the authority to do that. Shelley was the Minister of Northern Development and Mines, Len was the local member and I was her parliamentary assistant, and we didn't have the authority. We said to them, "We've heard your concerns and we're asking you not to blockade the road. We will go back to Queen's Park and we will work with the provincial government in order to try to find a solution." A few months later we found a solution and Kapuskasing was saved.

Let's remember, it's not only First Nations that put up blockades. I've been on a number of blockades over the years. In fact, I was on a blockade last fall in regard to the closure of the mill in Opasatika, where the OPP was called in to deal with what was a blockade by the unemployed workers who were losing their jobs: community members, grandmothers, children, teachers, chamber of commerce types, mayors and others who were on the—are you pointing at me? Okay, you're trying to get the

attention of the page. I'm sorry. I was wondering why you wanted me to go down and see you, Sergeant at Arms, as I was talking about being on a blockade, being a former RCMP guy.

But anyway, my point is, I was on that blockade where the citizens of the Kapuskasing-Opasatika area closed Highway 11. That's the major transportation route for all goods and services going across Canada at that time of the year because normally toward the fall and the winter, we stop using Highway 17 for truck transportation and we move north. My point is that the road was blockaded. And do you know what the OPP did? They didn't come in with their clubs and start bashing everybody on the head. They did what they always do. They tried to calm the situation down. After a period of time, people decided they'd made their point and moved on.

So I'd just say to people, I know this is frustrating, what's happening in Caledonia. God, I know. I've been on both sides on these things. I've been blockaded in on a couple of occasions and I've been on the blockades, both with First Nations and non-aboriginal people, on various issues. The point is, the OPP has to do a job of maintaining the peace, but not inflaming the situation. If we're going to get mad at somebody, let's not get mad at the OPP. They try to do their job as best they can.

I think we need to take a look at where the problem lies, and the problem lies with both federal and provincial governments, and in this case, the provincial government, which failed to recognize there was this problem brewing in the Six Nations for as long as it was. Then finally, after the First Nations felt nobody was listening and it wasn't going anywhere, they put a blockade up. The blockade was up for how long? Sixty-some-odd days, 50-some-odd days before the altercation came with the OPP. Where was the provincial government in all that period? It's not as if we didn't know. I know the good Minister of Natural Resources probably got daily briefings from his staff on day 1, day 2, day 3 of the blockade. Why did it take 50 days for the government to respond or try to find a response or 60 days to appoint David Peterson?

It seems to me we had to enter into dialogue, and if we waited for the federal government, we'd wait another 120 days. Imagine, if you will, being a First Nations person living in Peawanuk or Kashechewan or wherever it might be. You sign a treaty with a government 100 years ago—they've been waiting for 100 years for the government to honour their treaties. Talk about patience, and they've been pretty good about it. They have not done anything that is out of the ordinary or outside of the law. They've been pretty decent about it, but every now and then people do get frustrated, and out of that frustration at times comes what we see in the form of blockades.

I wanted, while I had the opportunity in this debate, to talk a little bit about what I think the policy should be that should lead us away from the Caledonia situation that we have now. I think one of the first things we have to do, all of us—and I commend the local member, Toby Barrett. From what I can see, he's been fairly active in trying to talk to both sides and bring people together and



is actually listening to what's going on. The first thing I suggest to any member—and I'm sure we all do, but just the obvious, maybe for the reason of the debate—is that, really, we need to play our roles locally and get to know not only who the leadership is in our communities but also who the movers and shakers are, because far too often it's not the leadership that move these things along; sometimes it's others who have far more influence.

I remember going into a community—I forget which one it was. It might have been Constance Lake or Moose Factory; I forget where it was. I was at a community meeting and it was one of the first times that I'd been elected, representing this particular riding. I was expecting the chief to get up and do like we do on municipal councils: "I'm the mayor and I'm speaking out and this is where we're going." It took about two seconds to figure out that it's not the chief who runs this half of the time, it's a whole bunch of other people in the community, based on their tradition. Sometimes it's the women who have a large role in making these decisions, by not even saying a lot, just by sort of every now and then prodding the crowd in a certain direction. Sometimes it's the elders, sometimes it is the band council or a few leaders within the band council. Sometimes it's radicals. I've been at some meetings where I've been considered a radical when I was in the labour movement. Sometimes it's the radicals who push things along.

But that's okay, there's nothing wrong with that. My point is, the first thing we've got to do, as local members and as municipal politicians and federal members, is to know our communities well, because at the end of the day, we're the people on the ground and we can then provide advice to either provincial or federal governments, whatever House we belong to, as far as finding the response.

1710

What's the next thing that we have to do to prevent such things as Caledonia? First of all, we need to respect our treaties. In the case of Caledonia, it depends on what side of the story you find yourself on. I thought the minister made a fairly good demonstration of what happened as far as the evolution of what happened in the Six Nations. Depending what side you're on, people interpret it different ways. But the first thing we need to recognize is that we've not done a very good job federally or provincially recognizing the responsibilities we have in dealing with First Nations. I know most members in the House who have had a chance to travel into many of the First Nations communities see just how deplorably poor they are as a people and just how run down their infrastructure is. You have to ask yourself a question: How can we in Ontario today have communities as poor as that, considering how rich we are as a province? It just doesn't make any sense.

The best example is Attawapiskat. Attawapiskat is going to have the only diamond mine in operation in Ontario, the first diamond mine south of the northwestern territories. It's a huge deposit; it's extremely rich. Just to put this in perspective, De Beers is spending over \$1 bill-

ion—I say it again, over \$1 billion—to develop this project, and good for them. But take a look at the community of Attawapiskat. Twenty people per house. How do you survive in there? In some cases, there are people who live in tents 12 months a year. One particular individual—I don't want to use the last name, because I think I got it wrong. Moses and Margaret and their family for two years lived in a tent in their backyard with their two young daughters. Why? Because there was no housing available for his family. He has a very large family. I think there are about nine or 10 kids, and the oldest kids are married now and have kids and they're all piled into one house. So there was something like 20-some people in this house. Moses and Margaret decided to take the two young girls out, who were at the time about 8 and 9 years old, and live in a tent in his backyard as a way of providing some calm to his children so the two youngest girls could study and learn and do well in school and grow up having an opportunity to compete with other kids.

How do we in Ontario, in Canada, allow somebody to have to put their children in a tent to provide for housing in this day and age? How do we do that? Take a look at Attawapiskat again as a good example. The road infrastructure in that community—go into that community. Go into 100% of communities—I won't even say 99%—in the NAN territory, in Treaty 3 and probably Robinson-Superior. There is no pavement on any of the roads. As people drive up and down the roads with their ATVs or four-by-fours or whatever it might be, there's dust being blown up in those communities all the time. Dust is just permeating across the communities on any sunny day. That is not a healthy thing for people to live in.

Sewer systems—did you know that there were no sewer systems on the James Bay coast until we came to government in the 1990s? Imagine that: People didn't have a sewer to flush their toilet or empty their sink until 1992 or 1993 in the communities of James Bay, Fort Albany and north. Can you imagine that, in our time? Water—they didn't have potable water. Most of them don't have potable water. But Attawapiskat just recently, as of about two or three years ago, got potable water in their community. How do we allow those kinds of things to happen in First Nations communities, given that this province and this country are so rich? There's something immoral about it.

I just say to all of us here in the Legislature that we've got to stop passing the buck over to the federal government and playing the blame game. At the end of the day, you know what? Those communities will remain poor and have poor infrastructure as long as we play that game. I say we as a province have to recognize that these are Ontario citizens. If the federal government is not prepared to do what needs to be done, then we need to step up to the plate, either to pressure the federal government to do what is their responsibility or to negotiate agreements from the federal government with the consent of First Nations. And I say that only with their consent should we transfer some of those services back to the province, where they're better served.



I'll give you a couple of examples. Health services on the James Bay: We're in the process now of basically transferring the federal hospital, the nursing stations, over to the province. It's been a 10-year effort to get this done, and finally we're in the final throes of the final agreements to allow that to happen. Now, why I'm such a large advocate of this particular initiative is that I've seen first-hand, as you and others have, the conditions of health care in many of our communities in the James Bay and other First Nations communities. But I recognize one thing: When I go to James Bay General Hospital in Fort Albany and I go to the James Bay General Hospital in Attawapiskat that are run by the provincially run James Bay General Hospital, there are wings of a hospital with an emergency ward, acute care beds, some long-term-care beds, nursing staff, doctors who rotate in, and we provide a semblance, at least, to First Nations of health services.

That's not to say anything bad towards Weeneebayko. They try as hard as they can. They run the hospital in Moose Factory. But all the other communities are run by nursing stations. Now, those nursing stations are staffed by hard-working nurses who really try hard to do their job, so this is no reflection on them, but they're not resourced to the degree they need to be. They don't have beds, for example. If a person has to be held in a community before transport, they've basically got to be put in a holding room that's akin to what you would see in a medical clinic; that's basically what they are. They don't have what we consider a hospital in those communities. So this initiative of finally the province sitting down with the federal government and saying, "We're prepared to allow the transfer of that hospital to the province," is going to be a good thing for James Bay over the long run. Why? Because we do it better. We are the deliverers of health services in Ontario, not the federal government. The federal government doesn't have the ability to do so; it's not their bailiwick.

What we need to make sure of in that agreement is that in the end, the federal government holds on to its fiduciary responsibility and transfers on an annual basis the dollars they would have to pay otherwise to provide health services in those communities. They have a signed treaty. They do have a fiduciary responsibility. What we should be doing is saying to the federal government, "Listen, if you're indifferent and you don't want to do this, tell us. We as a province are prepared to sit down with you and First Nations to figure out how we can do it in the context of a provincially run service." We, quite frankly, should give most of that transference to First Nations governance. That's a whole other issue.

I'll give you another example: education. In many of our communities there are some good examples. In Moose Factory, Fort Albany, the grade schools are very well run. As a matter of fact, this morning we had young people from the Peetabeck Academy here as part of their grade 8 class. They're doing a great job. It's a brand new facility. Kids like going to school there, more so than in other communities, because they have some pride in the school. It's a brand new school that's been there for

about three or four years. There's an infrastructure for them to learn in. In Fort Albany, I would argue, there's also a little bit more housing. It's a little bit easier for children to study at home.

But when you go into other communities, that's not the case. In Attawapiskat, children are still in a portable school and have been for three or four years now. Why? Because the main school, the J.R. Nakogee primary school, has been contaminated with diesel fuel. The federal government says, "It's okay. Keep on sending your kids there. One of these days we'll get around to building another school." Kids started getting sick. They were coming home nauseous; they were coming home with all kinds of stomach cramps, diarrhea—you name it, they were getting it all. The staff were getting sick.

You know, First Nations people are very forgiving. People should remember this. For a long time, they put up with it and put up with it. Minister after minister would go to the community or meet with the local education authority or the band council and say, "We'll build you a new school." "We'll build you a new school." They heard the story over and over again. Finally, the community said, "Enough is enough. Our kids are getting sick." So they shut the school down, and only then did the federal government say, "We're going to do something." You know what they did? They built portables. That was their solution. They spent as much money to build portables as it would have taken to build a brand new school. Talk about stupid. I say "stupid" with a capital S. That's the federal government and the Department of Indian Affairs, INAC, when it comes to dealing with this. So they're in a situation now where they are sitting in portables and finally we're in the final throes of getting a new school on the primary side. But this community has had to go through hoops and hoops and hoops, and thanks to the leadership of the local education authority, Steve Hookimaw and his board, and Michael Carpenter, the band chief, they have done a really good job of pulling the community together and doing what's right. But they've been doing it for years.

My point is, you wonder why we've got blockades in Caledonia? I'm surprised there are not more blockades around all over the province when you take a look at how First Nations are having to deal with issues in regard to how they're left behind. You prevent a Caledonia by paying attention to the problem and saying, "Let's deal with this problem before it becomes a powder keg," the same way we have to deal with the problem in non-aboriginal communities. I've told you about the school in Attawapiskat. Can you imagine if you had a school in downtown Whitby or downtown Sarnia or wherever it might be and the kids were coming home sick because they were getting contaminated by diesel fuel underneath the school? Can you imagine what would happen if the provincial government and their school board didn't respond to that? We would be out behind the blockades. It wouldn't take more than five minutes and we'd be out there, demanding from our provincial politicians and school board representatives, "We want action." If we didn't get action, do you know what we'd do? We'd get



on the buses, come to Queen's Park and protest around this building. We'd ask for meetings with the Minister of Education. We're much better at getting attention to our problems than First Nations are. Are we surprised that they put up a blockade? I'm not surprised. This issue has been around for a while.

1720

I want to give one more example, because it's one that's currently going on in Peawanuck, actually Weewunuk First Nation up on the Hudson Bay. This is really nuts. This is the Department of Indian Affairs at its best. There's no hydroelectric grid up in Peawanuck, all right? The minister knows that. He's been up there a couple of times and knows Chief Mike Wabano and others well.

Here's a good one. There's no electrical grid. In other words, there are no hydro wires coming into or out of the community. You have to generate your electricity directly in the community by way of diesel generators. I might have my years wrong, but up to about seven, eight years ago, INAC, the Department of Indian Affairs, said, "We're going to give the community what it costs to generate electricity." That was part of the agreement when they build a community. So each and every year, up until about seven years ago, the band council got funds to run the generator and have fuel flown in, because that was the only way you could bring in fuel up until recently. We had a bit of a winter road last year, but up to now—as a matter of fact, we probably only brought in about 20% of the fuel because the winter was so mild, but that's a whole other story. You have to fly in the fuel all the way to Peawanuck. Just to give you an idea how far that is, flying from Timmins to Peawanuck is about the same as Timmins to almost Philadelphia. That's about the distance. It cost about \$600,000 a year to maintain that diesel generator for the community.

So INAC said seven years ago, "We want to change things. We want to make it so that local residents pay for electricity directly. We're going to cut your allocation from \$620,000 a year down to almost \$300,000—\$270,000. The band council said, "Well, we'll try as best we can, but recognize, Minister, that 90% of the people who live in our community are on welfare, and to buy food—there's no store in Peawanuck—they have to have it flown in from Zudel's in Timmins. It costs about 1,500 bucks a month to get your groceries, just for basics. People's welfare cheques are about 1,400 bucks. We don't know how people are going to pay, but we're going to try."

So they get new transfers of \$275,000. In year one, they run a deficit. Why? They can't collect the full amount of money from the residents because the residents don't have the money. Year two, the same thing. The band has then got to take funds from other parts of its budget to offset the deficit on the hydro side. Eventually, that puts them into arrears and into a deficit situation as a band council. INAC then comes back and says, "You're bad managers. We're going to put you under third party administration." Now all of a sudden it's the band's fault. Tell me how that happened. But anyways, here it gets better.

The community finally says, "Listen, we can't afford to pay for the generation in that community. So, INAC, you take the generator back. We're not doing it anymore." INAC said, "Not a problem. We'll have somebody else, a third party manager, come in and manage the electricity." So they called for tender and hired a company called Pritchard Industrial, out of Manitoba, to come in and run the electricity.

Here's the deal. Pritchard gets \$650,000 a year from INAC to run the electricity system. Does that number sound familiar? It's the same \$650,000, with inflation, that the community used to get for running the electricity plant that was cut down to \$275,000. INAC said, "We're going to give Pritchard \$650,000 to run the electricity system and, by the way, Pritchard, go and collect money from individuals for their hydro." Now Pritchard is getting the \$650,000 that the community should have gotten in the first place, and if they had, we wouldn't have a problem. They wouldn't have been in a deficit situation and people wouldn't have fallen back in arrears, but now we have the same old problem.

Last year at this time, or in July, a whole bunch of "Disconnect" notices went out in the community. Charlie Angus, myself and our staff worked with community and social services and others in order to make arrangements through welfare to do some payback scheme of 25 bucks a month to try to satisfy the bills somewhat and we got everybody reconnected. Guess what's happening. They're coming in next week to disconnect the electricity on probably 60% of the homes in Peawanuck. Go figure.

We wonder why blockades go up in First Nations? It's a recipe for disaster. It can't work. You've got a federal government, for God's sake, who I think is purposely underfunding communities to make them fail, and then we wonder why First Nations get mad and put up blockades every now and then. I repeat, if it were us, we would have been out on the barricades a long time ago. Can you imagine what a community that's non-aboriginal would do? They wouldn't put up with it. They would say, "Enough of that." At least we have an opportunity—we can throw our governments out. With the First Nations, they're so few in number that they don't affect the election in any great way, so they find themselves not having the satisfaction of being able to change the government every now and then.

I say to the government, don't pass the buck anymore. If you want to avoid the Caledonias of this world, you've got to sit down and talk to both parties. You've got to sit down and find out what the grievance is. In a case like this, where there is sufficient doubt that there is a legitimate grievance—nobody is going to tell me there's not sufficient doubt in this case. You might argue some of the technicalities; you might argue the greys and the whites. But the point is there is enough sufficient doubt, as you look at the documentation on what happened on the whole land grant issue dating back from the 1700s to where we're at now. There is enough doubt that they have a good claim. If that's the case, why are we playing with this?



We should be trying to find a way to resolve this issue so that we're able to deal with it in a way that is fair to the First Nations and fair to the local communities. Instead, what do we do? We wait. We throw the ball in the federal government court. We point the finger at the federal government and say it's their fault. Then, at the end of the day, we allow this ticking time bomb to continue and eventually something happens. In this case, the OPP, for whatever reason—we can get into that or others may want to get into that—rushed the barricade one day and what happened, happened. We found out that that wasn't too productive. Finally, the provincial government decided it was going to appoint a facilitator or negotiator, Mr. David Peterson, in order to try to find a resolution to this. My view is that that should have been done a long time ago and, unfortunately, it was not done.

I say to the residents of Caledonia, both to the non-aboriginal and aboriginal people of Caledonia, I understand what you're going through is difficult, because I've had to live that on both sides of the blockade. I've been in and I've been out; I've been on both sides. But the key is that at the end of the day we all have to live together. It doesn't help anything when either First Nations or non-aboriginal people are hurling insults at each other or doing whatever that might aggravate the situation, because this issue will eventually resolve, and when it resolves, we are all going to have to live together. The best way to do that is to sometimes hold our tongue, keep calm and urge the provincial government—that's where we should be putting our energy, from both sides—to do its job towards trying to find a resolution to this particular issue that is going to satisfy both parties.

At the end, both parties will not be completely satisfied, but that is the process of trying to find a settlement. You never have both sides totally satisfied. It's like bargaining. I bargained for years on behalf of the Steelworkers and later with the Ontario Federation of Labour. A good agreement was when I left the table and they were both pissed at me. That was a good agreement. Because it meant that I got a whole bunch from the employer, the employer felt that he didn't have to give as much and, at the end of day, there was a give and take on both sides. When both sides are feeling that at that point, you know you've done a fairly good job of finding the balance. If one side is totally happy and the other side is unhappy, it would tell me that there's not been very much of a compromise.

I say to the members in the House and to the government that we should learn from what has happened in Caledonia. From that, we should then figure out that we cannot allow these things to simmer as long as they have. Let's do our job in being able to find solutions before they become the powder keg that Caledonia has become.

**Mr. Dave Levac (Brant):** At the outset, I have to apologize to the House for my rather odd-sounding voice. My allergies have been acting up all weekend. I'm going to try to make it through. I hope it sounds that I'm not allergic to this place. It's more like trying to recover from it, so I apologize for my voice.

This is a rather difficult time for me to stand and talk about this issue. I've lived it all my life, in terms of being associated with First Nations people, particularly Six Nations. I grew up in a place called Eagle Place in Brantford. We had the residential schools about a block away from mine. In sports, I played with and against First Nations people and learned an awful lot about their cultures, became friends with an awful lot of them, went to school with an awful lot of them, and found a slow but steady understanding of what the Six Nations and First Nations people believe, and their belief structure.

1730

I do want to talk a little bit about the past so that I can set the context of my comments. We've been challenged with an opposition motion that—if we peel away some of the comments that are made inside of it plus some of the debate that's being offered, there's a challenge inside of it that I believe is genuine. But I have to make sure that I make it clear that we'll be peeling away some of those comments.

The leader of the loyal opposition said at the very outset that he wanted to stay away from finger pointing and he wanted to stay away from the accusations. We immediately read the resolution and find out that what he's talking about is pointing the finger back at a situation that has been ongoing for 208 years, and wants to lay it squarely on the lap of the Premier and the minister responsible in this particular government. I find that to be unfortunate, because if we take a look at it and analyze it and take it apart, we'll find that there's been some pretty strong leadership and there have been some comments that have been attributed on that side to us, and there have been some comments directed in this, that because they say it, it must be true. In terms of "because they say it, it must be true," it's about what you want versus what we believe has been happening here. I want to bring that to light.

Here's what I would propose: that we take a look at the opposition motion, and we ask the simple question. We refuse to acknowledge that the Caledonia land occupation was a standoff. First of all, that's just not accurate.

Second of all, that the government's participation in the development of Places to Grow was a catalyst to igniting this problem, when we do know for a fact that the minister who was responsible for Places to Grow, along with the minister responsible for aboriginal affairs, consulted with the First Nations people and continues to consult with the people of the First Nations to deal with how Places to Grow can be beneficially addressed by the First Nations people. So another part of the motion needs to be peeled away.

Another one is that the McGuinty government provoked the situation with regulations identified in the greater Golden Horseshoe area. So in other words, we came up with three pieces of legislation to provoke—and again, I want to peel that one away. There was no intent to provoke. There were consultations going on with our First Nations brothers and sisters, and I was sitting in some of those meetings. So I can attest to that as a fact,



that elected Band Chief David General—I arranged a few meetings with the minister myself in order for us to make sure that the First Nations issues were brought in front of Caledonia. There was an awful lot of action that was already taking place in front of Caledonia that quite frankly peels this onion back down to where it should be. I want to come to that in a moment, and I will do that. We will be peeling that onion back to talk about the specifics. I could probably speak for an hour, but my voice is probably not going to take it.

That the government allowed the situation to escalate, and that we need to have somebody to direct us, and that we refuse to compensate the OPP: We put out on the table several times exactly what the situation is with the OPP. We're not going to engage in directing the OPP. That's not how government works, and it's not supposed to work that way. You don't stand up in the middle of a place, you don't call Gwen Boniface up and say, "Hey, Gwen, get those First Nations people out of here." You just don't do that. Quite frankly, they have operational procedures that are already in existence to take care of that problem. They've already made it clear that they're continuing to deal with the budget inside of their own budget in a way that is going to take care of that. This government has already stated clearly that they would consider and receive the request if the OPP, or even the municipal police services, if there has been a strain on their services—the backup is coming from Toronto and Hamilton—that they would speak to the government and they would engage in that discussion about how to take care of those disbursements.

If we peel back the onion, there is an intent in here that I do accept. That intent is a very simple one: that we negotiate. I'd like to clearly announce that I've been sitting at the table at Caledonia unannounced, and I haven't been beating my chest about it. That's the other thing that the members of the opposition seem to be saying: If they don't see something and if they don't realize that something is going on, it must not be happening and it must be wrong.

I want to thank the member from Timmins—James Bay in terms of his sensitivity to what it is that we should be doing, except for one thing I would disagree with him on: I don't think that we should be describing this strictly as a provincial issue. We still need to get the federal government to the table. I think you said that, but I think what's important for us to recognize is that there have been statements by the First Nations people themselves that make it quite clear that they believe they want to be speaking to the federal government. Here's a quote from Confederacy Chief Allen MacNaughton, who was asked by the elected band council to be part of that negotiation, so the elected band council and the Confederacy are working together on this: "It's tough," he said. "I'm still getting the impression that they," the federal government, "want to do as little as possible. They don't even want to be here and wish we would just go away. You have to realize that the federal government—and I don't know a lot about the provincial government, but the federal government has a lot to answer for."

I want to suggest to you that there are ways we can do this. There is the two-row wampum. There's actually a wampum built that's made that tells us what this is. There's a symbolic river, and the two white rows down the middle of the wampum are the paths that represent the canoe and the ship of the First Nations and the white. They would work together, side by side: When your ship is in trouble, I'll help you; when my canoe is in trouble, you'll help me. It's that we live beside each other in a fair way. The wampum was handed over and accepted, which means that they accepted this as the philosophy that we should live by. We can live harmoniously. Joseph Brant and his quotes in the past made it quite clear that the deals he was making were on the premise of making sure that his people could keep taking care of themselves.

I think what we have to do is recognize very clearly that the teams that the opposition member talks about are already in existence. We do have Jane Stewart and we do have Barbara McDougall. We do have a table that's been set together to bring all the stakeholders together. The Confederacy is there, the clan mothers are there in advice, and the province and the federal government is there. And Prentice, to his credit, is trying to make sure that we can navigate this once and for all. You've got two sets of negotiations going on: that is, the immediacy of Caledonia, the blockades, and the long-term commitments. So we have a historical opportunity to make things move forward.

The other thing I'm suggesting to you is that I have met with some of the officials that the ministries have set forward, and they are nothing but superlative in terms of the negotiation process: John Burke and Dick Saunders, and, to his credit, Ralph Luimes, Ken Hewitt from the Caledonia business side, John Periversoff from the OPP and the elected officials. They've all told me that they were extremely impressed with how the provincial government has responded to the needs of the people of Caledonia. They are telling us that they were really proud of the fact that the provincial government has stepped forward to engage in this conversation and to make sure. It's unfortunate that on this particular motion, they wrapped it up in that stinky onion piece. If we had to peel this away and moved into the exact thing that the member said—that he wasn't going to be pointing fingers and using it as nothing more than a political tactic to try to bring embarrassment to this government. We can solve this problem once and for all. My challenge to all of us is to get there, because everybody wants it and we've got to take the action.

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to rise in the debate on the resolution standing in the name of the opposition leader. As I begin, I do want to recognize Nancy McBride, who has joined us and is patiently sitting in the members' gallery. Ms. McBride is Toby Barrett's guest in the gallery. She's one of the many fair-minded community people who also hopes for leadership in resolving the dispute in Caledonia. She was kind enough to deliver a folder of letters today to the assembly, some of which were used in the assembly. I



thank Ms. McBride for taking the time to be with us and to listen to the debate.

No doubt, as I had heard from my colleagues, native and land issues are complex. They're emotional. The process to resolve land claims should be clear, have set targets and move forward on a timely basis. That does not change the fact that we have, as a fundamental basis of our civil society, the rule of law. We have been a successful country because of the fair and consistent application of the rule of law. Perfect? Certainly not. Are there legitimate grievances by First Nations over past poor treatment and ongoing issues, as some of my colleagues have brought forward? Absolutely. But at the same time, we must adhere to the rule of law as a fundamental. The Legislative Assembly of Ontario cannot condone lawlessness. The government of Ontario cannot condone lawlessness. But the government's total absence from the stage effectively undermines the rule of law and sends a very troubling and disquieting signal.

1740

I understand the frustration felt by First Nation citizens and by other Canadian residents as well about land claims, the awful historical mistreatment of aboriginals, the slowness of land claim resolutions. And I believe that I can understand the visceral reaction by some to the depth of these past injustices. I had the opportunity, as Minister of Northern Development and Mines, to see first-hand some of the sad, desperate and disgraceful circumstances on reserves in the province of Ontario today. But still, I cannot condone lawlessness: prolonged barricades set up by various groups, police cars set on fire, hydro stations going down, digging up highways, a riot involving members of the Caledonia community First Nations. How upsetting, these images we see on TV while we watch: It's not the Ontario that we're accustomed to. I was absolutely shocked not to hear Premier McGuinty or even a senior cabinet minister express that. It took them a long time to respond to these shocking and saddening images.

There are ways in our country to express this frustration without breaking the law. No doubt our government has a duty to support an environment for free political protest without coercion. However, the government also has a duty to speak out against actions when they cross the line, and the government has a duty to ensure that the rule of law is upheld. If respect for the law dissolves and is undermined by government inaction, one wonders how the law can possibly be enforced against a future dispute. This kind of selective enforcement sends disquieting signals, and certainly sends a troublesome signal to other individuals or groups, that the way to get the government's attention and to get your way in the province is to break the law. As my colleague from Leeds-Grenville, sitting next to me, said, the law should apply equally to all Ontarians.

So here's the question I hope this inquiry could explore: At what point did Dalton McGuinty decide to override the rule of law? When did Dalton McGuinty decide that he would determine when the law should be enforced and when the law should not be enforced?

I want to commend the Ontario PC leader, the member for Dufferin-Peel-Wellington-Grey, for taking the time to visit Caledonia, to hear directly from all citizens in the area on a number of occasions. In contrast, Dalton McGuinty seems to be hiding under his desk. Toby Barrett, the MPP for Haldimand-Norfolk-Brant, should be commended for his extraordinary leadership and fortitude, constantly in the community and strengthening the already significant trust that local residents have in their MPP. I've seen the sadness in the MPP when the community in which he has lived for his entire life is ripped apart at the seams.

The Attorney General occupies a special position above partisan politics. He has a special obligation to defend the administration of justice and to uphold the law. Then the member for St. Paul's, now Attorney General, on September 25, 2001, said in Hansard, "I can tell you on behalf of the official opposition, we have to do everything we can to enforce the rule of law and let everybody know—yes—that everybody has to obey the law."

**Mr. Runciman:** Hmm, what a change.

**Mr. Hudak:** As my colleague said, a complete change. Now we hear the opposite from the Attorney General.

The judiciary cannot enforce its own orders. The judiciary cannot compel respect for the courts. The Attorney General must do this. But bizarrely, we have seen the spokesperson for the Attorney General in court arguing why the court's orders should not be obeyed—the Attorney General himself effectively undermining respect for the province's laws. I wonder if there has ever been an instance in the history of Ontario, the legal history of Canada, where the Attorney General took the position that it was okay for a superior court order to be ignored.

Lastly, as far as it goes for Premier McGuinty, he is absolutely absent from the field. It's incredible that the Premier has not stood in this House to communicate to the citizens of Ontario, First Nations and others alike about the status of the dispute and his plan. Sadly, it's a pattern we've seen. When it comes to closure of the coal plants and the pending energy crisis in the province, gun violence last summer or the closure of the Michigan border to garbage with no backup plan, this Premier has no plan.

One last question for the Premier: I wonder what the view is like from beneath his desk.

**The Deputy Speaker:** Further debate?

There being none, Mr. Tory has moved opposition day number 4. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

It being close to 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1746.*

*Evening meeting reported in volume B.*













# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Arnott, Ted (PC)	Waterloo–Wellington	First Deputy Chair of the committee of the whole House / Premier Vice-Président du comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Ajax–Uxbridge	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Balkissoon, Bas (L)	Scarborough–Rouge River	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Community Safety) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Sécurité communautaire)
Barrett, Toby (PC)	Haldimand–Norfolk–Brant	
Bartolucci, Hon. / L'hon. Rick (L)	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Bentley, Hon. / L'hon. Christopher (L)	London West / London-Ouest	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	Deputy government whip / whip adjoint du gouvernement
Bisson, Gilles (ND)	Timmins–James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Hon. / L'hon. Marie (L)	Hamilton Mountain	Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Bradley, Hon. / L'hon. James J. (L)	St. Catharines	Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement
Broten, Hon. / L'hon. Laurel C. (L)	Etobicoke–Lakeshore	Minister of the Environment / ministre de l'Environnement
Brown, Hon. / L'hon. Michael A. (L)	Algoma–Manitoulin	Speaker / Président
Brownell, Jim (L)	Stormont–Dundas–Charlottenburgh	Parliamentary assistant to the Minister of Tourism / adjoint parlementaire au ministre du Tourisme
Bryant, Hon. / L'hon. Michael (L)	St. Paul's	Attorney General / procureur général
Cansfield, Hon. / L'hon. Donna H. (L)	Etobicoke Centre / Etobicoke-Centre	Minister of Transportation / ministre des Transports
Caplan, Hon. / L'hon. David (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement
Chambers, Hon. / L'hon. Mary Anne V. (L)	Scarborough East / Scarborough-Est	Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse
Chudleigh, Ted (PC)	Halton	Deputy opposition whip / whip adjoint de l'opposition
Colle, Hon. / L'hon. Mike (L)	Eglinton–Lawrence	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Cordiano, Hon. / L'hon. Joseph (L)	York South–Weston / York-Sud–Weston	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Craiton, Kim (L)	Niagara Falls	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Correctional Services) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Services correctionnels)
Crozier, Bruce (L)	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice-Président, Président du comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dhillon, Vic (L)	Brampton West–Mississauga / Brampton-Ouest–Mississauga	
<b>Di Cocco, Hon. / L'hon. Caroline (L)</b>	Sarnia–Lambton	Minister of Culture / ministre de la Culture
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Hastings–Frontenac–Lennox and Addington	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Municipal Affairs) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Affaires municipales)
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–St. Clair	Minister of Energy / ministre de l'Énergie
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Ajax	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the minister responsible for democratic renewal / adjoint parlementaire à la ministre responsable du Renouveau démocratique
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Gravelle, Michael (L)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham–Kent Essex	
Hudak, Tim (PC)	Erie–Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	Parliamentary assistant to the Minister of Children and Youth Services / adjointe parlementaire à la ministre des Services à l'enfance et à la jeunesse
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton–Springdale	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Kwinter, Hon. / L'hon. Monte (L)</b>	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Leal, Jeff (L)	Peterborough	Parliamentary assistant to the Minister of Energy / adjoint parlementaire au ministre de l'Énergie
Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
MacLeod, Lisa (PC)	Nepean–Carleton	
Marchese, Rosario (ND)	Trinity–Spadina	
Marsales, Judy (L)	Hamilton West / Hamilton-Ouest	Parliamentary assistant to the Minister of Small Business and Entrepreneurship / adjointe parlementaire au ministre des Petites Entreprises et de l'Entrepreneuriat
Martel, Shelley (ND)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services and minister responsible for women's issues / adjointe parlementaire à la ministre des Services sociaux et communautaires et ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>McGuinty, Hon. / L'hon. Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation
McMeekin, Ted (L)	Ancaster–Dundas– Flamborough–Aldershot	Parliamentary assistant to the Minister of Education / adjoint parlementaire à la ministre de l'Éducation
McNeely, Phil (L)	Ottawa–Orléans	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire à la ministre des Transports
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	Chief opposition whip / whip en chef de l'opposition
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire à la ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron–Bruce	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjointe parlementaire au ministre du Renouveau de l'infrastructure publique
Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture and minister responsible for francophone affairs / adjointe parlementaire à la ministre de la Culture et ministre déléguée aux Affaires francophones
Munro, Julia (PC)	York North / York-Nord	Deputy opposition whip / whip adjoint de l'opposition Parliamentary assistant to the Minister of Natural Resources and minister responsible for aboriginal affairs / adjoint parlementaire au ministre des Richesses naturelles et ministre délégué aux Affaires autochtones
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward–Hastings	Parliamentary assistant to the Minister of Community and Social Services (Disabilities) / adjoint parlementaire à la ministre des Services sociaux et communautaires (Personnes handicapées)
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire au ministre de la Formation et des Collèges et Universités
<b>Peters, Hon. / L'hon. Steve (L)</b>	Elgin–Middlesex–London	Minister of Labour / ministre du Travail
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Phillips, Hon. / L'hon. Gerry (L)</b>	Scarborough–Agincourt	Minister of Government Services / ministre des Services gouvernementaux
Prue, Michael (ND)	Beaches–East York / Beaches–York-Est	Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire au ministre des Affaires civiques et de l'Immigration Minister of Natural Resources, minister responsible for aboriginal affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Rural Affairs) / adjoint parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Affaires rurales)
<b>Pupatello, Hon. / L'hon. Sandra (L)</b>	Windsor West / Windsor-Ouest	
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Racco, Mario G. (L)	Thornhill	
Ramal, Khalil (L)	London–Fanshawe	
<b>Ramsay, Hon. / L'hon. David (L)</b>	Timiskaming–Cochrane	
Rinaldi, Lou (L)	Northumberland	



<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House leader / leader parlementaire de l'opposition
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph–Wellington	Parliamentary assistant to the Minister of Government Services / adjointe parlementaire au ministre des Services gouvernementaux
Scott, Laurie (PC)	Haliburton–Victoria–Brock	
Sergio, Mario (L)	York West / York-Ouest	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Housing) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Logement)
Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Sorbara, Hon. / L'hon. Greg (L)</b>	Vaughan–King–Aurora	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Sterling, Norman W. (PC)	Laarak–Carleton	
Tabuns, Peter (ND)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga Centre / Mississauga-Centre	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
<b>Tascona, Joseph N. (PC)</b>	Barrie–Simcoe–Bradford	Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du comité plénier de l'Assemblée législative
Tory, John (PC)	Dufferin–Peel–Wellington–Grey	Leader of the Opposition / chef de l'opposition
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Agriculture and Food) / adjointe parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Agriculture et Alimentation)
<b>Watson, Hon. / L'hon. Jim (L)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Health Promotion / ministre de la Promotion de la santé
Wilkinson, John (L)	Perth–Middlesex	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Wilson, Jim (PC)	Simcoe–Grey	Deputy opposition House leader / leader parlementaire adjoint de l'opposition
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wong, Tony C. (L)	Markham	Parliamentary assistant to the Minister of Research and Innovation / adjoint parlementaire au ministre de la Recherche et de l'Innovation
Wynne, Kathleen O. (L)	Don Valley West / Don Valley-Ouest	Parliamentary assistant to the Minister of Education / adjointe parlementaire à la ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (L)	Willowdale	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général
Vacant	Parkdale–High Park	

## STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

### **Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziotti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craiton, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

### **Social Policy / Politique sociale**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

### **Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.



## **TABLE DES MATIÈRES**

**Lundi 5 juin 2006**

### **DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

#### **Perfectionnement professionnel des enseignants**

M <sup>me</sup> Pupatello .....	4292
M <sup>me</sup> Witmer .....	4293
M. Marchese .....	4294

#### **SANCTION ROYALE**

Le lieutenant-gouverneur .....	4290
--------------------------------	------

# CONTENTS

Monday 5 June 2006

## MEMBERS' STATEMENTS

<b>Native land dispute</b>	
Mr. Wilson.....	4287
Mrs. Elliott.....	4287
Ms. MacLeod.....	4288
<b>Patrick 4 Life campaign</b>	
Ms. Smith.....	4287
<b>Mary Pocius</b>	
Ms. Horwath.....	4288
<b>Lali Vij</b>	
Mr. Qaadri.....	4288
<b>DaimlerChrysler</b>	
Mrs. Jeffrey.....	4289
<b>Goderich Royal Canadian Legion</b>	
Mrs. Mitchell.....	4289
<b>Police services boards</b>	
Mr. Duguid.....	4289

## REPORTS BY COMMITTEES

<b>Standing committee</b>	
<b>on the Legislative Assembly</b>	
Mr. Delaney.....	4290
Report deemed adopted.....	4290

## MOTIONS

<b>Consideration of Bill Pr27</b>	
Mr. Bradley.....	4290
Agreed to.....	4290
<b>House sittings</b>	
Mr. Bradley.....	4290
Agreed to.....	4290

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Hate crimes</b>	
Mr. Kwinter.....	4291
Mr. Tory.....	4293
Ms. Horwath.....	4294
<b>Construction labour mobility</b>	
Mr. Peters.....	4291
Mr. Wilson.....	4293
Mr. Bisson.....	4294
<b>More to Discover fun pass</b>	
Mr. Bradley.....	4292
<b>Teachers' professional development</b>	
Ms. Papatello.....	4292
Mrs. Witmer.....	4293
Mr. Marchese.....	4294

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Tory.....	4295
Mr. Bryant.....	4295
Mr. Ramsay.....	4295
<b>Hydro project</b>	
Mr. Tory.....	4296
Mr. Duncan.....	4296
<b>Community safety</b>	
Ms. Horwath.....	4297
Mr. Kwinter.....	4297
<b>Ontario disability support</b>	
<b>program</b>	
Mr. Prue.....	4298
Mr. Smitherman.....	4298, 4303
Mrs. Elliott.....	4303
<b>CUPE resolution</b>	
Mr. Hudak.....	4298
Mr. Colle.....	4299
<b>Landfill</b>	
Mr. Tabuns.....	4299
Ms. Broten.....	4299
<b>Rural summer jobs program</b>	
Mr. Hoy.....	4299
Mrs. Dombrowsky.....	4299
<b>Counterterrorism measures</b>	
Mr. Dunlop.....	4300
Mr. Kwinter.....	4300
<b>Provincial parks</b>	
Mr. Bisson.....	4300
Mr. Ramsay.....	4300
<b>Apprenticeship training</b>	
Mr. Wilkinson.....	4301
Mr. Bentley.....	4301
<b>Conservation officers</b>	
Mr. Murdoch.....	4301
Mr. Ramsay.....	4302
Mr. Runciman.....	4302
<b>Kashechewan First Nation</b>	
Mr. Bisson.....	4302
Mr. Ramsay.....	4302
<b>Small business</b>	
Mr. Brownell.....	4303
Mr. Takhar.....	4303
<b>Kyoto Protocol</b>	
Mr. Tabuns.....	4304
Ms. Broten.....	4304
<b>High school students</b>	
Mr. Mauro.....	4305
Ms. Papatello.....	4305

## PETITIONS

<b>Recycling</b>	
Mr. Arnott.....	4305
<b>Drug legislation</b>	
Ms. Martel.....	4305
Mrs. Witmer.....	4306
Mr. Kormos.....	4306
<b>Long-term care</b>	
Mr. Levac.....	4306
Mrs. Munro.....	4307
<b>Trade development</b>	
Mr. Delaney.....	4306
Mrs. Van Bommel.....	4307
Mr. Leal.....	4307
<b>Macular degeneration</b>	
Mr. Ouellette.....	4306
<b>Health premiums</b>	
Mr. Hardeman.....	4308
<b>Workplace safety</b>	
Mr. Zimmer.....	4308
<b>Education funding</b>	
Mr. O'Toole.....	4308

## OPPOSITION DAY

<b>Native land dispute,</b>	
opposition day number 4, <i>Mr. Tory</i>	
Mr. Tory.....	4308
Mr. Barrett.....	4311
Mr. Milloy.....	4312
Mr. Runciman.....	4314
Mr. Ramsay.....	4315
Mr. Dunlop.....	4317
Mr. Bisson.....	4318
Mr. Levac.....	4324
Mr. Hudak.....	4325
Agreed to.....	4326

## ROYAL ASSENT

The Lieutenant Governor.....	4290
------------------------------	------

## OTHER BUSINESS

<b>Visitors</b>	
Mr. Bradley.....	4290
Mr. Takhar.....	4295
Mr. Bartolucci.....	4305

*Continued overleaf*





No. 84B

N° 84B

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 5 June 2006

Lundi 5 juin 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 June 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 juin 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### HUMAN RIGHTS CODE AMENDMENT ACT, 2006

### LOI DE 2006 MODIFIANT LE CODE DES DROITS DE LA PERSONNE

Resuming the debate adjourned on May 30, 2006, on the motion for second reading of Bill 107, An Act to amend the Human Rights Code / Projet de loi 107, Loi modifiant le Code des droits de la personne.

**The Acting Speaker (Mr. Michael Prue):** On the last occasion, we were in mid-speech. I do not see the member present who was giving that speech, and therefore we will go in rotation. The next speaker would be from the NDP. The member from Trinity-Spadina.

**Mr. Rosario Marchese (Trinity-Spadina):** I'm happy to have this opportunity. Speaker, do we have 20 minutes, or is it 19?

**The Acting Speaker:** You have 19 minutes.

**Mr. Marchese:** That is it, eh? Okay. We thought we only had 10 minutes. You see what happens? If you get here early and Joe Tascona's not here to do his six minutes, we get 20 minutes. It's a good thing, because we need the time.

I want to welcome the citizens of Ontario to this parliamentary channel. It's 6:45 and it's Tuesday. We welcome people to this—

**Interjections:** It's Monday.

**Mr. Marchese:** You see why it's important to be here and pay attention? Because when someone says on the other side, "Welcome. It's 6:45 and it's Tuesday," the Liberal members are awake and they remind me that it's Monday. That's very, very good. You see, it's important.

I want to talk about Bill 107, the Human Rights Code amendments. The member from Niagara Centre had his lead to speak to this bill, and he did so with considerable skill and took the measly one hour that was afforded to him to try to explain it, and I think he did a good job of it. The member from Willowdale spoke to this bill, and a few others last week, and they are defending these changes in a way that suggests the following: "The Human Rights Commission has not worked for a long time, and we, the government, after 40 years of no changes or few changes, are here committed to making

sure that this bill passes and that these amendments are carried through."

The concern we have around this is that, rather than fixing the problems of the Human Rights Commission, which in my view are related to financial support—you recall, Speaker, that in our time—you weren't here then, but when we were here in 1994, the government of the day was giving the Human Rights Commission approximately \$10 million or \$11 million or so, and 10 years later the Human Rights Commission gets about \$12 million, give or take. We haven't seen much financial support to this commission to do its work. It's for the obvious reason that if you do not provide the extra support that the Human Rights Commission needs to do its job, there's going to be some backup. There are going to be some problems in terms of the commissioners being able to do a job.

## 1850

Quite rightly, many of the people who complain—and the people who complain, by the way, have been people with disabilities and those who have been victims of racial discrimination and/or any other type of discrimination that people might have suffered through. The majority of the people who have gone to the commission have been, by and large, victims of some form of abuse or discrimination, and we believe changes need to happen, but not to get rid of the commission altogether. That's not what people have talked to me about, generally speaking.

Rather than providing the support the commission needs, we're going to get rid of this investigative body. Yes, the section 4 that they're getting rid of, the commission itself, has the power to investigate abuses, to investigate discrimination, to investigate in a way that we believe could bring about the kind of resolution of a problem that we're looking for—and we believe that the resolution of the problem ought not to take years. It used to be in fact that it would take anywhere from six months to three years to resolve a case. What we have learned from Barbara Hall, the new appointee to this commission, from the facts she presented here—not here but to us, I think a week or two ago—is that about 60% of the cases get resolved or solved in a way that people are pleased. In fact, very few of those cases ever got to the tribunal. Imagine what they could do if you provided more staff to the Human Rights Commission to be able to do its job. This is one commission that has not received the support it's needed for a long, long time.

Mr. Zimmer, the member from Willowdale, came and said, "These changes are essential. We need to scrap the commission." I'm not sure he's able to justify why it is that we need to do that, except that he argues that we haven't had changes for 40 years. Does merely saying that we haven't had changes justify the need to get rid of the commission and the investigative powers that it has, with a system that says that you now will have direct access to the tribunal, which the member from Willowdale and the government defend as a good thing?

The member from Willowdale in fact talked about the third pillar. The third pillar—remember, the first is the commission, the second was supposed to be the tribunal, and the third pillar that the government introduced is the one that suggests that people will have access to legal support to be able to have direct access to the tribunal. Recall that neither the member from Willowdale nor his minister have ever said, "Here's where the third pillar is embedded in the bill, here's what it means and here's how it's broken down." Nowhere is the third pillar, i.e., legal support to those who want to go directly to the tribunal, in the bill. The fact that it's not in the bill suggests, to me at least, that those who want to go directly to the tribunal are not likely ever to get the support they need to be able to do so, which suggests to me that the people with disabilities and victims, racialized communities who are victims of discrimination, are on their own.

Speaker, you might know or not, but lawyers certainly know that some of these folks cost 300 bucks an hour. If you're lucky, you might find someone who charges 200 bucks an hour, but you don't know what you're getting at that kind of price, I suspect.

**Mr. Peter Kormos (Niagara Centre):** When's the last time you visited a lawyer?

**Mr. Marchese:** But at the upper end we're talking about 600 bucks, and if you're really, really good, like a Kormos type—

**Mr. Kormos:** No, no; Ms. Elliott.

**Mr. Marchese:** —or Ms. Elliott—you would be charging \$1,000 an hour. Do you understand what that means to people, to find 600, 700, 800, 1,000 bucks an hour to be able to defend yourself? Where do people find that kind of money? Where is the state going to find that kind of money, assuming that, if you believe them, if you want to be able to take your case directly to the tribunal, you're going to have legal representation?

It's a mere promise. If the government were serious, it would be in the bill. The fact that it's not in the bill suggests that we are not going to get much support. Assuming someone has a case and wants to take it to the tribunal directly, we're not quite sure what you're going to get except that you're on your own, whereas in the past, under the old human rights commission act, what we have is a guarantee that if you've got a complaint, if you've got a problem that you want to deal with, you can go to the commission and someone will investigate it.

It's possible that many who have gone in front of this commission might have had a hard time. It's possible that many who have gone to the Ontario Human Rights Com-

mission before may not have gotten the support they might have wanted; it's very, very true. But I speak to you on the basis of some experience: This commission has been underfunded for a long time, and under-resourced.

I'm not trying to justify some of the complaints that people might have had with respect to the commission, but it surely speaks to a problem. Rather than saying, "We're going to put in a couple of million dollars to be able to support the Human Rights Commission," they're scrapping it, and they're scrapping it in the hope that somehow this new process, direct access, is going to give them what they're looking for.

Unless you put the supports in place, we're not sure what we're getting. That's what we want and that's what we are saying to government that they need to do. But nowhere is this promise embedded in the bill that would allay my concerns or allay the concerns of those who are victims of a particular problem.

We are opposed to this bill, and we are not alone in doing this. There are a number of people who have spoken to this issue, and I'd like to quote them as a way of suggesting that people who have a great deal of knowledge and expertise in this matter are also concerned about this. Here's what some of them have to say.

Tony Silberman, past chair, League of Human Rights for B'nai Brith, says, "Rather than improving the complaints process, the proposed model would make it more onerous for the consumers by requiring them to conduct their own investigations and gather evidence within an environment that is already poisoned by the very filing of a complaint. The resulting power imbalance mitigates against injustice being done since, as well, respondents may be in a better position to afford legal representation."

The Chinese Canadian National Council says, "Under the proposed changes by the Attorney General of Ontario, a sexual discrimination victim could be asked to personally investigate the crime scene, file his or her own police report and then to personally seek prosecution in the criminal court system."

They also believe that conducting investigations strengthens the commission. The Canadian Association of Retired Persons says, "In CARP's experience, it is very important for the commission to be directly engaged in human rights issues. By limiting this role, the depth of their reports and their capacity to act on their findings could be seriously eroded."

Alistair Fraser of the Multiple Sclerosis Society says, "[Currently] people who experience discrimination don't have to be able to afford a lawyer or qualify for legal aid to ensure that a lawyer with specialized knowledge in human rights will present their case to the tribunal. The proposed changes appear to take away that guarantee. People with disabilities will rarely be able to afford the costs of privately investigating their own case. They won't have the public investigation powers that the" Ontario Human Rights Commission "now has."



1900

Sri-Guggan Sri-Skanda Rajah of the Urban Alliance on Race Relations says, "The Attorney General's proposed plan would force victims of discrimination to conduct their own human rights investigation and hire their own lawyer to present their case to the Ontario Human Rights Tribunal."

These are people with a great deal of experience in dealing with human rights issues, and they are concerned with this government's abolition of the commission altogether. While we realize that there are a number of different opinions in this regard, we know that a lot of legal minds in the legal clinics are supportive of the change. I'm not here to dispute their ideas or their position in this regard except to suggest that from our experience and from the experience of the people I have quoted, we are highly, highly worried about what this government is going to do. We are not at all certain that the supports are going to be there to allow people the opportunity to have their case heard. Unless the government makes that clear in its bill, we could never support it.

My friend from Niagara Centre simply believes that this is the privatization of our legal system and could never support it in any way, shape or form. I am tempted, with my limited experience in law, to agree with him, but I could be persuaded otherwise. If the government is serious about wanting to support victims by making sure that there is legal representation for them under all circumstances—unless they do that, there will be opposition from me and all New Democrats.

We don't believe that the government has any intention at all of providing those kinds of supports. We do not believe it. As a result, most vulnerable people will be left on their own to fend for themselves. If you trust the Liberal government with this, then God bless you. We don't trust them, and that's why we oppose them. We are hoping that those of you who feel strongly about this will make your views known to this government. But as it is, we will be opposing this bill.

**The Acting Speaker:** Questions and comments? Seeing none, the member from London—Fanshawe.

**Mr. Khalil Ramal (London—Fanshawe):** As always, I'm honoured and privileged to stand up in this place to speak on many different issues. Today we're speaking about the Ontario Human Rights Commission amendment bill, which I believe is a very strong issue, a very important issue for many people, especially for the human rights activists across the province who believe strongly that we have to strengthen this issue because it means a lot for vulnerable people who for many different reasons are subject to racism and discrimination—because of their physical or mental disability or their colour or their weight—for any reason. Definitely, for many people this commission is the last resort to go to, to present their case and hope somebody will listen to them and give them their justification for living and support them and defend their cause.

History shows us that this Human Rights Commission has never been touched over the last 40 years. It's out-

dated. Many people before that commission waited for a long, long time and nobody listened to them, and there were also a lot of delayed and unresolved issues. Sometimes some issues stayed about three to four years. People who desperately need support, people who desperately need somebody to listen to them, to defend their cause, to protect them, cannot wait two, three or four years to have somebody listen to them. That's why this bill came about, as a proposition to open and to transform the Ontario Human Rights Commission, to enable vulnerable people among us to have people listen to them, support their cause and also defend them and help them.

By establishing a human rights legal support centre, we'll give the people the ability to appear before the tribunal with full support from the government by funding all these activities. I was listening to the honourable member from Trinity—Spadina talking about this issue. He asked, what happens to people who don't have the money to appear before the courts? How can they get funded? I want to tell the member that this is the intent of the bill: to give those vulnerable people the ability to get funded and defend their case and explain to the people with full support from the government. This addresses the need and the intent of the bill to establish human rights legal support, to offer a variety of support for many people who want support in this province.

Also, the bill wants to create two secretariats to protect and to look after two important elements in Ontario life: racism and disability, two most important components which all of us hear about on a daily basis. We hear about how much racism goes on in Ontario and how many people discriminate against the disabled. That's why those secretariats will be established to educate and help people who are suffering from those two issues.

I believe that transforming the Human Rights Commission will give the ability to many people to feel comfortable because we have a government and a minister to look after them and listen to them. Also, so many different concerns—we heard about them from different stakeholders—to understand the intent of it and to have some kind of explanations. I believe this bill is going to the committee and the committee is going to listen to many stakeholders and many human rights activists. Then, after we collect that information, it's going to be addressed—

**Mr. Garfield Dunlop (Simcoe North):** When did you start listening at committee?

**Mr. Ramal:** As you know, all the bills go to committee as a preamble, and then after finishing in committee and after hearing from many different stakeholders, most of the time the bill is amended and modified to respond to the people who come to the committee and voice their concern. That's why we listen at the committee.

The honourable member from the other side is talking about, when the bill goes to committee, nobody listens. We have a committee to hear it. Unlike what happened in the past when the Conservative government was in power—they never listened at committee; they never had a committee. They used to pass the bills without any



committee hearing. We do it differently in this government. We ask the people what they want, and we listen to the answer. That's why—

*Interjections.*

**The Acting Speaker:** Order, please.

**Mr. Ramal:** This is the answer. This bill that we're now debating in the House will give an opportunity to all the members from every different party to voice their concerns. When we go to committee, this bill is going to open up to many stakeholders across Ontario. We're going to listen to them, and after that we're going to have the necessary amendments as a result of those people who came—

*Interjections.*

**The Acting Speaker:** The member from Bruce-Grey-Owen Sound is—

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** He didn't know where I'm from.

**The Acting Speaker:** It doesn't matter whether he knows where you're from. I know where you're from and you're being very loud, so I would ask you to tone it down.

**Mr. Ramal:** I know the member from Simcoe North doesn't want to listen because he's jealous of the government that opens up all the bills and all the subjects to committees. As I mentioned, we are doing government differently from the past: We listen to people. We ask them a question and we listen to them. That's why so many stakeholders came to us and complained to us, because the Human Rights Commission is not able absorb all the complaints. They don't have the mechanism to listen to all the people. It is about time for this to be opened up, to be modernized, to have the ability to listen to vulnerable people and to give them what they need. By establishing the human rights legal support centre, I think this important centre will give the legal ability and financial support to the people who don't have the support to have people listen to them and have their issues solved right away, not waiting two or three or four years. That's why this bill is so important.

1910

Every person has a right in this province to live with respect and dignity. Every person in this province has a right to have his or her own life run like a normal life, without any complaints, without any hesitations, without fear to go out and be discriminated against due to their colour, or their race, or their religion, or their size or whatever, the way they speak, the way they talk, the way they walk. With this bill, we'll listen to those people's concerns right away and act right away and not have to wait two or three or four years.

It's about time our government took action on this issue. It's about time the minister opened it up to the people to listen to their concerns. Let's open it up to modify it; let's open it up to have an incentive for people in this province to complain and to have people listen to them, with full legal support.

I'm privileged and honoured to be part of a government that listens to people. Also, I believe strongly

that when this bill goes to committee, we're going to listen to the people and their concerns. They're going to open our eyes on certain issues we didn't deal with in the preamble of this bill. I'm strongly convinced that we deal with all the bills that go before committee in a professional fashion. If there are any concerns or any suggestions, we'll take them into our considerations, and most of the time people see a lot of changes in the bills. That's why I'm very hopeful that when this bill goes to the committee, we're going to listen to those people who voiced their concerns to me, who came to my office because they didn't understand some elements and some sections of this bill. Hopefully, when they come up to us, present to the committee their concerns and explain them in full detail to the committee, I think our committee is going to listen to them and our minister is going to respond to their concerns and can open it up and can modify this bill to service their needs.

I want to assure you that the intent of the bill is to have a Human Rights Commission that's strong and able, in a modern fashion, to respond to all the people in this province of Ontario and make most of the people who choose to live in this province feel comfortable that there is a government, there is a board if they have any concerns or if they feel they have to go somewhere to complain. That place will be open to them and respond to them and help them right away, and they don't have to wait years and years and years.

**The Acting Speaker:** Questions and comments?

**Mrs. Christine Elliott (Whitby-Ajax):** The Progressive Conservative caucus welcomes the modernization and improvement of the Ontario Human Rights Code, but it's also our position that there are significant concerns with respect to Bill 107 that need to be answered. We've talked about several of them at great length—the lack of consultation, the lack of accountability to the Legislature—but most importantly I would like to speak just briefly on the issue of the so-called third pillar of the legal support centre to complement the first and second pillars of the commission and the tribunal.

As the member from Niagara Centre indicated during his speech last week, this really is a phantom third pillar. It's been much talked about, but in actual fact the only mention in this piece of legislation about legal support for victims of discrimination is section 46, which just indicates that the Attorney General is able to make an agreement with another agency or party for the provision of legal services. There's no mention of a legal support system; there's no mention in any discussion that's been held other than a vague promise of \$1.5 million being provided for legal assistance to victims of discrimination. That won't even put a dent into the backlog of the 2,400 cases that are going to come back before the new organization if this legislation is passed.

I think that it's nice to talk about it, but it's requiring a huge leap of faith for people to agree with this bill as it's presently drafted, because there is absolutely no guarantee that the people who are the most vulnerable in Ontario are going to get the legal support they need.



Right now they have the commission counsel, who assists them. It's true that they don't have legal aid lawyers who are acting for them, but there is able counsel there who are able to present their case for them. If this bill gets passed, there will be nothing there and no legal supports in place. Unless we can be guaranteed that that's going to happen, there remain considerable problems with this piece of legislation.

**Mr. Marchese:** I just want to say that from time to time some Tories and New Democrats agree on some things. The member from Whitby–Ajax stated the position that we have articulated here today and that my colleague Peter Kormos articulated last week, as was indicated by the member from Whitby–Ajax. This is the problem: You're going to have a whole lot of Liberals blah, blah, blah on this bill for hours and hours and they're going to talk about getting the service you need, blah, blah, blah, and on and on. What we've got currently is a Human Rights Code that includes the right to have a complaint investigated. This is a right that we have currently. This government is replacing that with a right to a hearing and the promise of support. So you've got a right to a hearing with a promise of support. Maybe the member from London–Fanshawe is going to talk about and articulate what this support is going to be like and relieve many of us of this fear we've got that people with disabilities, who represent half of those who go to the Human Rights Commission, are going to have that right somehow entrenched and are not going to have to worry about the fact that there's going to be somebody who's going to help them out, and they're not going to have to worry that they're going to be on their own, having to take their issue directly to that tribunal and investigate themselves and defend themselves.

It's possible that the member from London–Fanshawe actually believes that his minister is saying, "Don't you worry. Everyone who wants a hearing will be defended by a lawyer. No matter who they are, no matter what the issue is, they will have the defence." If the member can do that, maybe he should say so when he has his two minutes.

**Mr. Norman W. Sterling (Lanark–Carleton):** It's ironic that we are speaking tonight on the Human Rights Commission when this afternoon the Legislature was so condemning towards this government's policies with regard to our first citizens and the Six Nations land claim dispute. This afternoon, our Legislature voted and recognized that the McGuinty government provoked the situation with regulation identifying the greater Golden Horseshoe area as the first area for which a growth plan will be prepared. The Legislature voted this afternoon that the Premier of this province procrastinated and failed to show leadership when it was most needed—

#### *Interjections.*

**The Acting Speaker:** On the point of order, you're commenting on the statements made by the member from London–Fanshawe. I don't remember him getting into that at all.

**Mr. Sterling:** On a point of order, Mr. Speaker, and I'm sure you'll allow me to return to the clock with regard to my comments: We are talking about human rights. We are talking about minorities. We are talking about Bill 107 and the rights of these minorities to seek redress with regard to their rights in front of the Human Rights Commission. Mr. Speaker, that's what I'm talking about.

**The Acting Speaker:** All right. I've heard enough. If you will continue in that vein without going into another topic, which was this afternoon, then it would be in order.

If you would give him another minute. Thank you.

**Mr. Sterling:** Thank you very much, Mr. Speaker. I think it's important for this Legislature, as it did this afternoon, to recognize how this government on the one hand says that they want to help minorities with regard to human rights issues and on the other hand this Legislature recognizes that this party cares little about actual minority problems that are occurring in our province today. We had, in this Legislature this afternoon, very few members of the government caucus appear in this Legislature—very few members.

1920

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: We know that the tradition is not to speak of people's attendance in this place.

**The Acting Speaker:** On the point of order, I've heard the objections here. I didn't hear anyone being named as not being present. He said that few members were present, but I don't think that contravenes anything. Please continue.

**Mr. Sterling:** Mr. Speaker, could I have another minute with regard to my remarks? They continually raise points of order.

**The Acting Speaker:** I'm trying to be fair here, so another 30 seconds. Go ahead.

**Mr. Sterling:** Thank you very much, Mr. Speaker, and I'm glad you're in the chair this evening.

The point I'm trying to make is that, while we are debating Bill 107 and trying to improve the Human Rights Commission, trying to improve the ability of minorities to seek redress with regard to issues that are outstanding, we have a government that has been condemned this afternoon on an opposition motion which calls into question the Premier's intent with regard to these issues. It is disgraceful.

**Mr. Levac:** The bill that we're talking about, the Human Rights Code Amendment Act: I just wanted to make sure that the House is aware that I've received correspondence from many constituents in my riding that are pro and con. There are people who have made comments on why they speak against the bill. If we were to listen to what the opposition is saying, that there is absolutely no one in favour of this legislation—I want to make it clear that there's a very large number of people in this province that realizes that the Human Rights Code Amendment Act needed some work, and it's being redressed. I hope that this Legislature sees fit to pass the bill.



**The Acting Speaker:** The member from London—Fanshawe has two minutes in which to respond.

**Mr. Ramal:** First, I want to thank the members from Whitby—Ajax, Trinity—Spadina, Nepean—Carleton and Brant. Some of them spoke about what I said and some of them didn't. But regardless, I listened to the member from Whitby—Ajax talking about the intent of the government and that she doesn't trust the government. I want to tell the members of this assembly and the people of Ontario that we have a great mandate that we believe in strongly. This Human Rights Commission act has not been opened in the last 40 years. Everyone in this province knows how difficult it is to approach the Human Rights Commission and get results within a very fast and limited time. That's why our government and our minister wants to open it up, wants to reform it, in a fashion that gives the people the ability to come before the Human Rights Commission and get results fast and quick.

The member from Nepean—Carleton talked about minorities and the government's response to the people. We saw his government's record, which was a bad record in terms of defending vulnerable people, whether disabled, the sick people, the aboriginals, on many different issues. We have a clean record. We have one direction. Our direction is very clear: to support the people of Ontario in any way and in any fashion, whatever we can do, whether it's in health care, whether it's for the disabled or for people from ethnic backgrounds. That's why it's very important to this government that this bill be opened up to let the people who have some kind of complaints go before the tribunal and to have the mechanism, to have the support legally and financially to voice their concerns, with people on the other side who will listen to them and act on their concerns fast and quick, and also to establish some kind of mechanism to educate people about the importance of creating awareness and protect the people of this province.

**The Acting Speaker:** Further debate?

**Mr. Cameron Jackson (Burlington):** I've been most anxious to comment on this legislation for a variety of reasons. Let me begin by saying that I think it's an element of great pride for all Ontarians that we live in a province that was the very first jurisdiction in North America to ban slavery, as an example, and that we live in a province that was the absolute first jurisdiction in North America to create the office of the Ombudsman. We're fortunate as Ontarians to live in a society and a culture that was the very first to have a human rights code, even before the federal governments on either side of the 49th parallel.

That rich legacy has continued up until this point. Why do I say that? I say that because no one ever said that the Human Rights Commission should be a fast track to something. The Human Rights Code has evolved as a powerful instrument for change in this province. It has evolved, under the leadership of its past commissioners, to cause governments to change laws. It has evolved as an instrument for change. It hasn't been all that pleasant

for some governments because the truth seldom is when you're dealing with the five most significant disadvantaged groups in our society.

I can tell you, as a former Minister of Citizenship, when the Human Rights Commission was an area of responsibility for my ministry—it's now in the hands of the Attorney General; that's the pleasure of the Premier of the day, to determine where those services will be provided—I remember distinctly my very first briefing on the Human Rights Commission. I remember distinctly meeting with the then chief commissioner, Keith Norton, a man whom I had known at that point for many, many years and had come to respect his complete independence of any government of the day, and to respect the energy and the vision and quite frankly some of the very difficult and delicate decisions that he made as chair. But he did it with conviction and he did it with the knowledge that he was the chief commissioner in the province of Ontario, and Ontario had established a worldwide reputation for a Human Rights Commission that actually achieved meaningful results.

I guess that's the first point I want to start with, this issue of achieving meaningful results. This is not an assembly-line piece of legislation. This is not a process that governments tolerate because there's expectation out there. It fulfills a very important and real role in terms of how we combat discrimination in this province. It has not been an easy road. Clearly, if you talk to an employer who's had to go before a tribunal, had the Human Rights Commission inside their offices causing them to come forward with their authority under the Statutory Powers Procedure Act to allow them to cross-examine people before they even go to a tribunal—these are very powerful instruments, and those instruments exist in this province because of the very principle that persons who are discriminated against, by their very nature, are not in any form of a power position in order to respond to or overcome that discrimination.

The founders of this legislation, who all stood in this House and fashioned for themselves an instrument for change and an instrument that acknowledged the weaknesses of those in society to have a voice, did so with the knowledge that this process would take time and that it had to empower the individual in a very clear and specific way. I do not wish to deviate from this model. I think it has served this province well. It has served its citizens well. It has people who will indicate publicly, like His Honour Lincoln Alexander, who will indicate just how powerful an instrument that is in the life of a province and how dependable an instrument like that can be.

I ask the question, why is the government trying to change this instrument when in fact they didn't campaign on it, they didn't make any overt promises and they didn't even identify to the public that this was a serious problem, save and except that there is a backlog?

I want to go back to when I was the minister and I received that first briefing. Two things struck me. One was the unusually long time that it took to get the hearings to a point where they were before the tribunal, and



I'll deal with that in a moment. The second was the disproportionate number of claims that were being filed by one of the five most vulnerable groups that I referenced earlier, and the disproportionately low number of claims and applications that were made. In that time it was the disability community.

I was shocked and appalled to see—I raised questions about those statistics, and I was told, "Quite frankly, the process is one in which there are so many elements of discrimination out there for the disabled that we have so many claims, and they're all unique because disabilities are unique."

1930

We're to believe from this government, first of all, that the only way to fix this process of a timely hearing is to take away the most important element of the activity of the Human Rights Commission, and that's its power to investigate for the vulnerable, the weak and the powerless. So they would have us believe that by pushing these people immediately to a hearing or, as is contained in their legislation, the right to dismiss them out of hand before there has been any investigation—that one is a whole subject we could spend hours on. But let me simply state for the record that it's hard to believe that a tribunal empowered with something as significant as whether a citizen in this province is being discriminated against in terms of employment, in terms of access to health care—the list goes on—can dismiss that out of hand when they haven't even undertaken an investigation. When the tribunal dismisses it when there's an investigation, fine. Perhaps not enough were dismissed. But if the government is serious about reducing the time frames and reducing the total number of cases, then there are going to be wholesale rejections by many of these tribunals. I'm not so sure that's a good thing. It might benefit some taxpayers who don't see the relative value of the Human Rights Commission, but turning its new responsibilities into what are referred to here as being an adviser, a place for information on legal services: By the same token, how do you tell a person with a disability that you really have to go out and get a lawyer if you want to be adequately represented?

I realize that a previous government allowed for class-action movements in this province before the courts, that whole classes of disabled persons could make applications, but it's not clear in the legislation that even that is possible in the manner in which it's currently written.

The next point I want to raise is this issue of the fact that there's been very little, if any, consultation. This was just tabled in the House one day and took everyone by surprise. If you look at the list of individuals who have expressed their concern and, in some cases, their outrage about the government's approach in this manner, it's a pretty impressive and a very frightening list of individuals whose voices should have been listened to by the government prior to their bringing in these radical changes to the way North America's first human rights commission was constructed.

The first group is one that I have a lot of experience with. It's one that I've had the chance to work with. It's the Ontarians with Disabilities Act Committee, which changed its name when the government brought in the second disabilities act in this province to the Accessibility for Ontarians with Disabilities Act Alliance. This group is extremely concerned, and I think there's a footnote to their concern. One is that their inspirational leader, David Lepofsky, is actually an employee with the Attorney General's department in the province of Ontario. The government was very, very anxious to bring Mr. Lepofsky to the Legislature, to get him to be front and centre, to be vocal about the changes in the Ontarians with Disabilities Act, some of which he agreed with, some he didn't agree with. He was sort of trotted out as the poster person for their new act.

Now that he has exercised his basic civil rights in this province to speak up about a piece of legislation, he, as a learned lawyer and as a blind person, a person who is differently abled in this province, who feels passionately about this legislation, was bypassed, his committee was bypassed, and he does not see the reality that the government purports will happen with this bill—in fact, quite the opposite. He says this is a step back for the rights of the disabled in this province.

What did the government say about Mr. Lepofsky? Well, they said he must cease and desist from making any comments about this legislation. After all, he is an employee of the province of Ontario. So much for the open, transparent government that we keep hearing this government talk about, but in practice they're out there muzzling one of the province's outstanding spokespersons.

There were days he didn't agree with everything I was doing, and he had the right to be critical. I didn't take it personally. I think we were all working to move the benchmarks forward in this province, to make this a better province and a more accessible province for all our citizens. That's what he's doing today with Bill 107, except the government is saying, "No, no, Mr. Lepofsky, you cannot comment. You're a civil servant. You must remain silent." Why? Because he disagrees with many of the elements. I'm sure there are elements of this bill he likes, but as an advocate, it's his personal role—

**Mr. Marchese:** You didn't muzzle him with the disability act.

**Mr. Jackson:** I never muzzled him.

**Mr. Marchese:** You didn't muzzle him with the disability act.

**Mr. Jackson:** No, I didn't. He was very frank about his commentary.

This is incredible. You've got a government that says it's going to improve things, and yet this is one of the most important organizations.

That's just the start of the list. There are other groups that were not consulted and, in fact, in some cases these groups—the government has been out there. The Attorney General's office says, "Oh, we consulted with them." Then, when you contact them, they say, "That



would be wrong, and it would be erroneous for anyone to suggest that we were consulted."

Here are the groups: the African-Canadian Legal Clinic, the Alliance for Equality of Blind Canadians, B'nai Brith of Canada, the Bob Rumble Centre for the Deaf, the Canadian Association of Retired Persons, the Canadian Hearing Society, the Chinese-Canadian National Council, Community Living Ontario, the Disabled Women's Network of Ontario, the HIV and Aids Legal Clinic for Ontario, the Metro Toronto Chinese and Southeast Asian Legal Clinic, the MS Society, the National Anti-Racism Council of Canada, the Ontario Council of Agencies Serving Immigrants, Operation Black Vote Canada, OPSEU, Parkdale Community Legal Services, South Asian Legal Clinic, the Toronto Residents in Partnership and the Urban Alliance on Race Relations.

All these groups have as part of their ethos to advocate for those who are disadvantaged on any number of levels, whether it be before the courts, in employment situations, government programs. They feel passionately about this, and came forward to say, "Not only were we not consulted, we are insulted by the fact that the government is out there saying that we somehow were consulted and are somewhat supportive of this."

The details in this legislation are cause for considerable concern. This whole issue of removing the power to investigate is extremely troublesome. It's troublesome because that's how we were getting the most significant rulings in this province. If we wanted to be helpful, we should have—many of the delays that are referred to by the government are delays that were precipitated by employers who weren't co-operating or the person to whom the accusation of discrimination was directed towards failed to respond within a reasonable time frame. It certainly wasn't the fact that the complainant was delayed in making their submission or articulating their concerns.

The issue of the tribunal hearings themselves: As I said, I have commented on the fact that they can be dismissed at the whim of the tribunal. There's this whole issue around barriers to participation by indicating that you will bring legal counsel and legal support with you in order to be able to make your case.

**1940**

The government is now withdrawing that kind of advice that it was getting—not the advice. They're now saying that they'd like to create a mechanism where they can advise people. Basically, it's a phone system that says, "You'll need legal counsel. Here are certain documents you can search in the archives if you want similar cases." But generally the person to whom there is an accusation of discrimination will come with a battery of lawyers. Let's look at some of the cases that have been historical in this province: taking a theatre chain before the Human Rights Tribunal. They showed up with a battery of lawyers, and it was all for one individual in a wheelchair and another individual with a hearing dog

who wished to participate in the community life which included the entertainment in a local theatre.

Under this new tribunal system that the government is proposing, all parties will have to come with legal assistance. This is going to be hugely expensive for organizations like community living, because the individuals whom the Ontarians with disabilities program supports will lack the means and the financial resources in order to represent themselves in court. The average disabled person can barely afford the transit for their fundamental life needs—just getting to medical appointments is extremely difficult. Mr. Speaker, you raised that in the House just today and again yesterday; you know exactly what I'm talking about. So it's hard for me to understand just how this legislation is going to be better for the people whom it is there to serve and to protect.

Will it serve the interests of the current Attorney General? Absolutely. This is an Attorney General who completely gutted and virtually eliminated the Office for Victims of Crime in this province, something we were the first jurisdiction in North America to bring forward. Yet this minister was seen to have his budget flatlined by the Treasurer and has gone after those instruments that the Attorney General has that allow this province to function better: the Human Rights Tribunal, as well as the Office for Victims of Crime and other such programs. We've seen the same with the cuts to the coroner's office that the Solicitor General's office has imposed because of the shifting priorities for that minister and this government.

I could have used a couple of hours to express my concern on behalf of those persons who rely on the Human Rights Commission and its tribunal, to find the recourse that the courts cannot afford them in a timely fashion, or that the government lacks the political will to provide.

I cannot in good conscience, on behalf of the organizations which I have read into the record, support this legislation. Albeit on second reading, clearly the government has a hidden agenda here; clearly the government feels that saving money and reducing access to justice is defensible in this day and age, but I for one do not.

**The Acting Speaker:** Questions and comments?

**Mr. Marchese:** I just want to support pretty well everything that the member from Burlington has said. He's made a good case, a case that I believe most Liberals and those watching should take seriously.

I should point out that the Human Rights Commission, as far as I know, is well known throughout Canada and the world as a model that many would like to be able to imitate, and this government has taken the unprecedented move of eliminating the commission with direct access to the tribunal. It's unprecedented in terms of the change that this government has implemented. Rather than a slow, typical evolutionary Liberal process that they might want to engage in, they've done something completely radical, and so radical that we New Democrats think it's



nuts. Once this bill passes, Mr. Ruprecht may or may not know, section 4 eliminates the commission altogether. He probably doesn't know the commission is gone, and the commission is the body that does the investigative work to deal with the issue of discrimination or whatever it is that the aggrieved is bringing forward to the investigators on the commission. It's gone. Once this bill gets proclaimed or passed for third reading, you're on your own.

So if you've got a problem with discrimination, you no longer have access to an investigator or access to the commission; you're on your own. You've got to be able to take that to the tribunal. Think about it: a person with a disability or a person from some racialized community who doesn't have the time, the skill or the energy to say, "I'm going to take this directly to the tribunal," this with a government that has not put in the bill any support. You are on your own. How can Liberals defend such a reactionary move? Maybe Mr. Ruprecht can stand up and tell me.

**The Acting Speaker:** Questions and comments? Seeing none, the member from Burlington has two minutes in which to respond.

**Mr. Jackson:** I'm overwhelmed by the support for my comments this evening.

Just to reiterate, when I was the minister, I did have to find additional money in my budget in order to increase the number of cases that could be managed and brought full term. It cost more money. We had to contract out with staff in order to make that happen. That is the reality of the current process.

What concerns me is that we are seeing more and more examples where the government is taking these arm's-length, independent agencies, such as the Office for Victims of Crime, the Ombudsman, the chief coroner and the Human Rights Commission, and chiselling away at the independence by strangling their budgets and withholding the funds, which prevents them from fulfilling their mandate.

I understand we have to manage the budgets of these powerful and important organizations in our province, but the truth of the matter is, we are dealing with issues of discrimination. The government's own legislation dealing with the disabled won't be fully implemented, even at that point, for 20 years. That means there will be a considerable number of cases that have to be investigated and brought before the tribunal, yes, in a timely manner, but they have to be fully investigated.

I personally would like to see these amendments made to the legislation and hope that the Attorney General can focus less on the pressure from the Treasurer and the Premier to flatline his budget and do the job that he was elected to do as the chief law officer of this province and support the Human Rights Commission.

**The Acting Speaker:** Further debate?

**Ms. Andrea Horwath (Hamilton East):** I wanted to put a few comments on the record in regard to Bill 107, because as I was looking through the comments, particularly the ones made by the NDP critic, Peter Kormos, on second reading of the bill, I started to get quite

concerned about the implications of Bill 107 should it go forward in its current form. The bottom line is—and it's been mentioned by the member from Burlington, by my colleague from Trinity-Spadina and I'm going to mention it as well—in effect, what this bill does is eradicate, get rid of, totally repeal what we now know as the Human Rights Commission. That's really what's happening here. Bill 107, in part IV, basically gets rid of, holubolus, the Human Rights Commission.

I was reading the comments that have been brought forward in this regard. The way this is described by people who are more knowledgeable about the legal system than I am—I'll say that straight out front—is akin to saying that just like in criminal cases, for example, where you have an array of people who investigate a criminal charge, gather the evidence and put together all of the information that's necessary for the next phase to take place, which is the prosecution of a criminal charge, where these functions are happening in the criminal justice system, functions that serve the broader good of society, that serve the broader import of society to have laws that are followed and that are prosecuted when they're broken, similarly, those are the functions that we are going to lose that are currently being undertaken by the Human Rights Commission.

**1950**

Just like we would never think of getting rid of police, for example, who investigate criminal activities or investigate the evidence around criminal charges, and just like we would never get rid of crown prosecutors, the people who are, on behalf of the public, looking after the public good, prosecuting these cases, bringing them forward, similarly, we shouldn't be getting rid of those very same functions that are in the public interest when it comes to the Human Rights Commission. There is a public interest, there's a broader public import with issues of harassment and discrimination, with issues of discrimination that need to be uncovered, that need to be investigated, that need to be then dealt with by the commission and taken through the process.

It's very alarming to me, when you look at it in that context, to say it's okay to get rid of the Human Rights Commission, it's okay that we no longer have that body that oversees the broader public interest in the province of eliminating discrimination, of weeding it out and holding it up to the light and saying, "This is not acceptable behaviour. These are people's basic human rights that you are offending, and it is not only that individual this matters to; it is all of us, because this is not something that we find acceptable. This is not behaviour that we approve of as society or as a civilized group in the province of Ontario."

Unfortunately, it seems to me that the government has no problem with getting rid of this very important function of the Human Rights Commission. That is why I decided that it was important for me to have a few minutes to speak to this issue this evening, because there's no doubt that this is a controversial bill, and there's no doubt that there are people who are very much



in favour of Bill 107 and people who are very much against. But I would say to you—and I think we'll find this out much more clearly in the process of the public hearings upon completion of this second reading debate—that those who are in favour are buying a pig in a poke when it comes to this bill are holding out their hope that the government, that the Attorney General, his third pillar of resourcing and ensuring access to justice, actually comes to fruition.

I don't know about anybody who might be watching tonight. I'm hoping people are flicking through. My understanding is that there's a hockey game on, so I'm sure there are many people who are glued to their TVs, waiting for that hockey game to start, and they're flicking through and they're flicking into the parliamentary channel, the Legislative Assembly channel, and they're going to be hearing what we have to say about this bill because it's a very serious concern.

I'm sure that many people at the hearings are going to bring forward that, in fact, when this McGuinty Liberal government says, "Trust us. Support this bill; just trust us. We're making a promise that there's going to be access to justice. We're taking away the existing access to justice and we're taking away people's access to investigation; we're taking away people's ability to make sure that their complaint gets investigated, gets dealt with, that there's somebody intervening their behalf and making sure that evidence is being gathered so that their case can move forward; we're getting rid of that, but just trust us," the McGuinty Liberals say—because we know that they're a very trustworthy bunch here in the province of Ontario, don't we? Give me a break. How can anybody really, truthfully believe that the promises that the Attorney General is making are going to hold water? That is the crux of the matter. From my perspective, this entire bill is built on a house of cards, a leap of faith that, really, is not going to come to fruition.

The problem is that there's no parachute, as my friend from Trinity-Spadina was saying earlier. There's no parachute. We're leaping from the system we have now into the wild blue yonder, where nobody knows for sure what's going to happen, nobody knows for sure whether the government is going to fulfill its promises in terms of access to justice for complainants under this legislation, and there's no parachute. There's no going back. Once this bill receives third reading and royal assent, well, then, guess what? There's no more commission. There's no more guarantee, not only that the individual case is going to come forward, but that the broader public interest is held in the forefront of our deliberations around human rights abuses in Ontario. That is absolutely unacceptable.

So what happens? What does a person do once Bill 107 is brought into law? Well, what the government says you get to do is that you get to find a way to hire someone or to get the resources somehow to put together the material yourself. Maybe you have English as your second language, maybe your third or fourth language, and you're harassed at work or you have a discrimination

complaint against your employer. You decide you have rights under the province of Ontario's Human Rights Code and you want to enforce your rights. So you start to figure, "Okay, I need to enforce my rights. What do I do? I'll write it down. I'll explain what's happened to me, how my employer discriminated against me. I'll explain it all and I'll submit it to the tribunal, because I have direct access to the tribunal." So you submit it to the tribunal in your own language, in the way you are best able to describe the situation that occurred to you, and what happens? You get to the tribunal, you get your direct access right to the tribunal, and lo and behold, there's your employer sitting at the other end of the table, maybe with two or three lawyers, with evidence packed stacks high because he or she can afford to buy the legal expertise to mount a defence in the case you're bringing against them.

The bottom line, just in the basic view of things, is that it's very apparent that people without the means are not going to have access to justice. That's the thing that most people who come to the hearings are going to be very concerned about when we talk about whether or not this bill is going to be an improvement on the current system.

It's true that a lot of correspondence has come forward; members have received it. A number of people in the province will say that the system's not working, that the system's broken and needs to be fixed, that people aren't getting access to justice, that it's taking too long for people's cases to go through, too long for people to have their cases heard and their issues dealt with.

But we found, from a letter provided with a statistical analysis from the current commissioner, that this is a lot of hyperbole, that for the most part, the average length of the process is not what some would have us believe. In spite of some hyperbole around the time it takes for a complaint to be dealt with, what we really have is a system that is well renowned and well respected but simply needs to be better resourced. Instead of resourcing the existing system in a better way, a more appropriate way, the entire thing is being thrown out the window by Bill 107.

There are just a couple of points I want to make, because I know people are hoping we move on to the next piece of business for this Legislature. I already mentioned the issue that the most vulnerable people—people with disabilities, people who don't have a huge income, people from racialized groups, people who are already marginalized in our society—are generally going to have their access to justice reduced in the new milieu that Bill 107 brings forward. But the government says quite clearly, "We're going to guarantee access to justice." Well, how are they going to do that? Some say that the legal clinic system or perhaps the legal aid certificate system will be the system we can rely on to fill the gap and to help people who are not able to finance their own bevy of lawyers and team of investigators to have their claim appropriately dealt with, to have that direct access to justice at the tribunal.



I come from the legal clinic system. Prior to being in this elected life, I worked at a legal clinic. I can tell you, back then, 10 years ago, legal clinics were under-resourced, and as of the last time I checked, just a couple of months ago at a reception here put together by the Ontario legal aid plan—and I have many friends still in the legal clinic system—the legal clinic system is still under-resourced. Not only are the lawyers not at a level of compensation that they would be able to expect in private practice, but there simply aren't enough of them to deal with the cases in front of them.

Why is that? Legal clinics deal with an area of law that's broadly described as poverty law. If you look at the instance of poverty in this province, it goes without saying that their caseloads are going through the roof, that the needs of all the people living in poverty and unable to have their own lawyers and their own representatives paid out of pocket are simply increasing exponentially. So it's unrealistic, unbelievable, that we would expect the legal clinic system to step in and take over to help people out in this new regime under Bill 107.

**2000**

So then you say, well, maybe legal aid certificates are how we're going to do it. Again, Mr. Speaker, I will tell you—I don't need to tell you, because you already know—that the same complaints exist in the context of the legal aid certificate system. You just need to look, for example, at the mess and the backlogs that exist in the family courts and you will know that that system does not have the capacity or the ability to take up all the cases that will be coming forward as people purportedly get their direct access to the tribunal.

Many New Democrats have already spoken about the fact that this in effect Americanizes or privatizes our human rights system. That's shameful, and that in itself should give people the idea that this is not something to be supported.

There is one other thing I want to mention. A number of letters that have come forward have indicated very clearly that what this does, this theory or this idea of direct access to justice, is in fact the opposite: A direct power imbalance occurs. A power imbalance will occur immediately because those with the least amount of power and the least ability to fend for themselves under this new system are those who will be the most directly harmed by it. The problem exists that a huge power imbalance is immediately going to be felt by the most vulnerable people in our community when it comes to enforcement of the Ontario Human Rights Code.

I want to finish off with one last piece that I don't think has been mentioned, at least not this evening. You know what? This is not a new idea, not a new concept, not a new model. In fact, the province of British Columbia has undertaken a similar model. I thought it was important to let people around here know that the Liberal government in British Columbia in 2002 started to sell their new model for human rights, called direct access, to British Columbians. The Campbell Liberals promised that victims would be able to file a complaint

directly with the Human Rights Tribunal—sounds familiar—and speed up the process. However, the evidence in BC is that the so-called gatekeeping function of the commission has simply shifted from the commission to the tribunal. There is criticism that the commission has acted as a gatekeeper; in fact, I'm sure we're going to find this in the hearings, that this is one of the criticisms that comes against the commission. In trying to eradicate this gatekeeper function, the BC government, the Liberal Campbell government, in 2002 brought in the very same model that this McGuinty Liberal government is bringing to Ontario. But guess what happened? Well, 947 people filed complaints to the tribunal in 2002-03; only 310 decisions or settlements were made, and 23 of those were final, where the tribunal actually produced a ruling. That's a completion rate of about 32.7%—not a huge increase at all—with less than 3% of the complainants actually getting a hearing.

The direct access model is not actually allowing more complaints to be adjudicated on their merits in the province of British Columbia. In fact, Mary Woo Sims, former chief commissioner of human rights for BC, says this: "There's a saying, 'Be careful what you ask for!' I'd urge Ontarians to be very careful. Our experience in BC is that a direct-access human rights model is doublespeak for a model that ensures no justice at all."

That is certainly not something that I support. It is certainly not something that New Democrats support. I urge the members of the Liberal government sitting in this House to be very, very careful about what they do with Bill 107, because it could be the end of Ontario's positive reputation on human rights and it could be taking us in a direction that nobody really wants to go.

To close, I just want to invite anybody who happens to be watching tonight to take the time to call your MPP and write your MPP and make sure you're watching to see when those hearings are coming, because we're going to need your voice to be able to make sure that the government doesn't continue down this wrong-headed path of eradicating people's access to human rights justice in the province of Ontario.

**The Acting Speaker:** Questions and comments?

**Mrs. Elliott:** I certainly support the comments made by the member from Hamilton East with respect to the changes to the commission proposed by Bill 107. While the Attorney General has said that the changes will result in the commission's ability to focus more on public education, advocacy and the investigation of systemic discrimination, when you look at the actual substance of the legislation, there are no real, substantive powers of investigation left in the commission. So I'm not sure how it's expected that they'll be able to go out and investigate these complaints, because they don't have the ability to do it. I guess they have to wait for them to walk in the door and then take them to the tribunal. It's not something that's likely to happen.

All that's realistically going to happen with all of these changes is that you're going to have individual complainants taking their cases to the tribunal—that is, if the tribunal will even let them be presented, because it



will have the ability to turn down the investigation and hearing of complaints—and all of the investigations, all the issues with respect to systemic discrimination, discrimination in the workplace, are just going to be left hanging out in the air. So any element of public interest in this is going to be left out. What we're going to have is like a small claims court in the tribunal for human rights cases—all individual cases—which is great; they should be investigated; but the public interest is not going to be represented in this process.

**Mr. Marchese:** At the moment, we have this commission, which is embedded in part IV of the Human Rights Code, that permits a person to file a complaint with the commission when they believe their rights have been violated. I want to point out that the commission has a great deal of power.

“33(3) A person authorized to investigate a complaint may,

“(a) enter any place ... at any reasonable time, for the purpose of investigating the complaint;

“(b) request the production for inspection and examination of documents or things that are or may be relevant to the investigation;

“(c) ... remove from a place documents produced in response....;

“(d) question a person....

“(11) No person shall hinder, obstruct or interfere with a person in the execution of a warrant or otherwise impede an investigation under this act.”

The commission has a great deal of power, and the investigators have power to investigate a complaint to the extent that close to 60% of the complaints at the moment have been solved by the commission, which is not a bad success rate for the Human Rights Commission. Why would the government not try to improve on that rather than invent a totally new system similar to the one that we have in British Columbia, where, we just heard from the member for Hamilton East, we have seen the reduction of complaints, not an increased number of people taking their complaints for resolution? Why would the member for Willowdale, who has been a lawyer and has experience in this field, support such a revolutionary leap of faith with a bill where we have no clue what his minister—the member for Willowdale, you don't have a clue what your minister is going to give by way of resources. Why would you support such a bill without knowing that? I just don't understand it.

**The Acting Speaker:** Questions and comments? The member for Hamilton East has two minutes in which to respond.

**Ms. Horwath:** I want to thank the members for Whitby–Ajax and Trinity–Spadina for commenting on the remarks that I made regarding Bill 107.

I have to say that it seems like, on this side of the House at least, we have some agreement and some concern about the government's direction in regard to Bill 107. I'm looking forward to the public hearings process because I suspect that the government members, at least the ones who sit on the committee, are going to get an earful and a bit of an awakening as to what the im-

plications of Bill 107 are. It seems to me that not only is it a matter of access to justice; it's a matter of making sure that the province of Ontario maintains a solid reputation in protecting the human rights of the people of Ontario, and it seems to me that the government is prepared to turn its back on that current celebration that we have about our ability to protect people's human rights. Certainly, it's not perfect. It isn't. Nobody here, I think, would say it's a perfect system, but it's a system that works not only on behalf of the individual but it's a system that works for the broader public good of upholding a Human Rights Code in the province of Ontario that the other system, the system that Bill 107 is going to bring forward, will absolutely not do.

I think that, come the public hearings on this particular bill, we're going to see more and more people raise concern, more and more people begin to understand the implications of following along the government's promise that people are going to have access to lawyers and access to investigators. As you can tell by the comments of the member from Trinity–Spadina, the bottom line is, the kinds of access that currently exist, the kinds of opportunities that investigators currently have under the current system, will be completely wiped out. No matter how much you want to hire your individual private investigator—if, of course, you have the money or if, of course, the government gives you the opportunity to do so—you will not get access to justice the way we get it currently.

**The Acting Speaker:** Further debate? Are there any other members who wish to participate in the debate? Seeing none, in the absence of the minister to speak, Mr. Bryant has moved second reading of Bill 107, An Act to amend the Human Rights Code. Is it the pleasure of the House that the motion carry? I heard some noes.

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

There being more than five members standing, please call in the members. There will be a 30-minute bell.

I have here a note dated June 5, 2006, to the Speaker of the Legislative Assembly: “Pursuant to standing order 28(h), I request that the vote on the motion by Minister Bryant for second reading of Bill 107, An Act to amend the Human Rights Code, be deferred until the time of deferred votes, June 6, 2006.” Signed by Dave Levac, chief government whip. Having that, that motion will be deferred until tomorrow at the time of deferred votes.

Orders of the day.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Mr. Speaker, I move adjournment of the House.

**The Acting Speaker:** The Minister of Natural Resources has moved adjournment of the House. Shall the motion carry? Carried.

This House stands adjourned until tomorrow at 1:30 of the clock.

*The House adjourned at 12:12.*



## STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

### **Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziotti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craiton, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

### **Social Policy / Politique sociale**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

### **Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

## CONTENTS

**Monday 5 June 2006**

### SECOND READINGS

#### **Human Rights Code Amendment Act, 2006, Bill 107, *Mr. Bryant***

Mr. Marchese .....	4327, 4331, 4334 4338
Mr. Ramal .....	4329, 4332
Mrs. Elliott .....	4330, 4337
Mr. Sterling .....	4331
Mr. Levac .....	4331
Mr. Jackson .....	4332, 4335
Ms. Horwath.....	4335, 4338
Vote deferred.....	4338

## TABLE DES MATIÈRES

**Lundi 5 juin 2006**

### DEUXIÈME LECTURE

#### **Loi de 2006 modifiant le Code des droits de la personne, projet de loi 107, *M. Bryant***

Vote différé .....	4338
--------------------	------





No. 85A

N° 85A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 6 June 2006**

**Mardi 6 juin 2006**

Speaker  
Honourable Michael A. Brown

Clerk  
Claude L. DesRosiers

Président  
L'honorable Michael A. Brown

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HOUSE PROCEEDINGS

**Mr. Garfield Dunlop (Simcoe North):** My comments today relate to two events that occurred in the House yesterday.

To begin with, I'd like to thank the Liberal caucus for their support of John Tory's opposition day motion. I am pleased that you agree to recommend to the Lieutenant Governor in Council that a commission be appointed to inquire into and report on how the absence of communication and a lack of leadership by Premier McGuinty and his Liberal government allowed the Caledonia situation to escalate to a full-blown standoff and a public security crisis.

Secondly, I'd like to provide clarification to two non-answers I received from the Minister of Community Safety and Correctional Services yesterday. In the question, I did not ask about Lewis MacKenzie and Norman Inkster; I asked what additional resources the McGuinty government had provided to police services to fight counterterrorism since their election. The minister did not answer. I'm sure I know the answer: No additional resources have been made available to police services to fight counterterrorism.

In my supplementary, I asked the minister if he would commit to the House that he would not cut the previously planned \$1.76 million from the CISO budget next May. He refused to answer that question as well, instead turning to insults toward me. So to the people of Ontario and to the good folks at CISO, the McGuinty government is planning to cut \$1.76 million from CISO next May. That is money to fight counterterrorism. How much softer on crime could a government possibly be?

#### QUARRY VILLAGE

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I would like to take this opportunity in the House today to talk about a landmark affectionately known as the Quarry Village, located in the southwestern part of my riding, in the Gerrard and Victoria Park area. The Quarry Village first came to life as a gravel pit in the early part of the 20th century. Labourers would work long hours to produce the brick we use to construct many of our homes, offices and community centres.

Presently, due to the efforts of entrepreneur Jack Mandos, the Quarry Village has seen a renaissance. The community has been transformed from a gravel pit into a vibrant collection of stores, restaurants and office facilities. Further to this, the Quarry Village still maintains its natural appeal, with a vast tract of green space laden with trees and various breeds of shrubbery.

The Quarry Village historically has been at the centre of community and business life in southwest Scarborough. If one is to travel throughout the various communities surrounding the quarry, one will find some of Scarborough's first homes and early settlements. Along with this, the Quarry Village served as one of the first centres of employment in Scarborough by providing paycheques to those individuals who put in long days and nights, tirelessly digging the earth to help make construction materials such as bricks. In fact, many of the bricks you see on the homes across Toronto trace their origin back to the Quarry Village and its historic gravel pits.

The Quarry Village's past is matched by the great future that lies ahead. The Quarry Village is one of those hidden treasures in my riding of Scarborough Southwest. I encourage all to come and visit to see this location.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** Yesterday, this Ontario Legislature approved a motion calling for an inquiry into the mismanagement of the Caledonia-Six Nations land dispute. I do commend all three parties in this Legislative Assembly for allowing this motion to pass, allowing for an inquiry, rather than waiting 10 years. Given the dearth of communication about the dispute identified in yesterday's motion, people want to know what's going on. They want to learn about events in Caledonia and Six Nations. People don't want another armchair inquiry years after the fact. We must constantly monitor; we must constantly evaluate.

In business, you have to know at the end of each day how much you've made or lost. As red flags pop up, you deal with them and you prevent them, as articulated in the motion: to wit, a commission directed to "preventing similar chaotic confrontations" and to "improve dispute resolution."

To the McGuinty government: As we go forward with this inquiry, be cautious when you call this inquiry. Don't jeopardize the negotiations and any progress that may have been made. Don't interfere with Superior Court Justice David Marshall's work.

I do commend all three parties for supporting this motion passed in this Legislature on June 5. I look forward to helping with this inquiry.

#### SHELBY HEINBUCH

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** I rise today to recognize one of our former legislative pages, Shelby Heinbuch, who is from my riding. Shelby served as a page here from March to April of this year and she did a wonderful job. When she returned home to Rockland, she did something even more remarkable: Shelby decided to donate some of her hair to the Angel Hair for Kids charity.

This organization provides human hair wigs for children from financially disadvantaged families who have lost their hair as a result of a medical condition. This year, approximately 10,000 children in Canada will lose their hair because of cancer treatment, burn accidents and other diseases.

Plusieurs de ces enfants viennent de familles démunies qui ne peuvent se permettre le coût d'une perruque de qualité. Angel Hair for Kids a toujours de cinq à 10 demandes à traiter et la demande s'accroît continuellement.

Congratulations, Shelby, for setting such a great example in making this donation. I hope that other people will be inspired to reach out to children in need and support charities like Angel Hair for Kids. Young people like Shelby are the future of this province. Her selfless sacrifice should be an example to all Ontarians about what it means to help people who need it.

Les jeunes comme Shelby sont l'avenir de notre province. Son sacrifice est un exemple à tous les Ontariennes et Ontariens de ce que veut dire la charité humaine.

1340

#### NATIVE LAND DISPUTE

**Mr. Norm Miller (Parry Sound–Muskoka):** The McGuinty government has not only failed miserably in preventing or resolving the occupation of land in Caledonia, but it has set a troubling precedent for shirking provincial responsibilities.

I was shocked at the abdication of responsibility voiced by the Premier's minister responsible for aboriginal affairs yesterday as we debated this government's mishandling of the situation in Caledonia. The minister alleged that, "Ontario has probably exhausted all the tools that we have available," and "It is only the federal government that has the tools to resolve an outstanding land claim..."

How can you say that the issue is about an outstanding land claim and try to pass the buck? Your own website that lists current land claims and related negotiations does not include the Six Nations or the property in Caledonia, and you personally acknowledged yesterday that, "The dispute really is an accounting claim, by and large."

With respect to the occupied site, the federal government does not have jurisdiction over the title. In addition, regulations around land use, construction and development are under provincial jurisdiction. The issue of public safety in this situation is also a provincial responsibility.

Premier McGuinty should have known and acted on the local concerns since they were first voiced by Six Nations in August 2005, yet he did not.

Isn't it a fact that the provincial government is responsible for the most immediate issues in Caledonia, all of which you have failed to address: title on the land in question, land use and development policies, public safety and highways?

#### HOSPITAL SERVICES

**Mr. Peter Kormos (Niagara Centre):** Dalton McGuinty and the Liberals' broken promise to shorten hospital surgery waiting lists is cold comfort—no comfort—to so many Ontarians, least of all Jeff Hagar of Fonthill.

Mr. Hagar, a 49-year-old man living with his wife and four kids and supporting them by working hard daily, has lived with chronic pain for two decades now. You see, it was a motor vehicle accident some time ago that caused serious injury to his lower leg and ankle.

In December of last year, the decision was finally made that the pain was too intense for him to live with and the decision was made for him to undergo an amputation of the leg below the knee. His condition is deteriorating, his reliance upon narcotic-type medications is increasing, and all he does is wait, because his orthopaedic surgeon can't find surgery time and a hospital bed for him to recover in so that the surgeon can perform the job the surgeon is prepared to do and so that the surgeon can do what's necessary to give Mr. Hagar something of a meaningful life.

Mr. Hagar says, "The pain at times is driving me crazy with discomfort and to be told that I have to wait ... is an insult.... All I want is to be close to normal physically and emotionally with my family."

Here is a man who at this point in his life considers having an amputation below the knee to be close to normal physically and is being denied that opportunity because Dalton McGuinty broke his promise to shorten waiting times for surgeries in Ontario's hospitals.

#### TIM HORTONS CAMP DAY

**Mr. Dave Levac (Brant):** I rise today to talk about an important initiative that's happening in my riding, in the province of Ontario and, indeed, across the country right now. Tomorrow, June 7, is Tim Hortons Camp Day. On Camp Day, every penny of coffee sales for the entire day goes to the Tim Hortons Children's Foundation. Last year, Camp Day raised \$6.4 million and helped send many needy children to one of the foundation's camps.

The Tim Hortons Children's Foundation runs six camps: in Parry Sound, Ontario; Tatamagouche, Nova



Scotia; Kananaskis, Alberta; Quyon, Quebec; Campbells-ville, Kentucky; and in St. George, Ontario, in my very own riding of Brant.

The funds raised on Camp Day throughout the year will allow the Tim Hortons Children's Foundation to send children to camp at no cost to them and their families, because they're in need. Since 1974, more than 83,000 children and youth have attended the foundation camps. This year, more than 11,000 will benefit from the experience.

The children's foundation is dedicated to building a brighter future for many young children in our province and in our ridings. Camp Day helps them raise funds to do just that. When we buy our coffee on that day, we're helping give more young people a great experience that might otherwise not have been had.

Although I will not be able to be there tomorrow, I want to thank Harry Fox, who runs the Colbourne Street Tim Hortons in our riding. I've been fortunate enough to attend on a regular basis. He adds to that fund from his own pocket on the sales for that day. Let's congratulate Tim Hortons.

#### CHILD CARE

**Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Recently, I had the opportunity to meet with a local coalition of advocates concerned about child care. Simply put, their goal is to compel the federal government to honour the early learning and child care funding agreement that was to provide Ontario with \$1.9 billion over five years. The coalition is angry and frustrated that despite widespread support for this historic and urgently needed agreement and recognition of the overwhelming need among Ontario families for high-quality licensed child care spaces, it was unilaterally dismissed by a federal minority government.

The group recently held a code blue forum on the crisis in child care. With short notice, over 60 participants came together to discuss their mutual and pressing concern about the future of the Best Start program and the thousands of proposed child care spaces that are now in jeopardy. This coalition is in sync with our government's commitment to creating better opportunities for all our children. That's why the McGuinty government negotiated and signed the child care agreement in the first place.

In a world where you can purchase raw resources, borrow capital and copy technology, it is a highly skilled and creative workforce that will set us apart and allow us to compete on the global stage. Best Start is the right start to ensure that this happens.

#### SCIENCE FAIR

**Ms. Deborah Matthews (London North Centre):** I would like to take a moment to recognize the bright minds that are in our Legislature today, and I'm not talking about the ones on the floor. With us today we

have some of the most intelligent, innovative and creative students in all of Ontario. They were regional science fair finalists selected to compete with students from across the country in a week-long science fair in Saguenay, Quebec. Naturally, some of them are from my riding of London North Centre.

Chen Sun and Ratna Varma, from Orchard Park Public School, and David Wang from my alma mater, A.B. Lucas Secondary School, participated in this national fair. Also, David Wang won the 2006 Intel International Science and Engineering Fair in Indianapolis just last month.

I am proud that our government is committed to research and development in Ontario. Through the major investments we've made in our public education system, we continue to develop these bright young minds. The students here today prove why these investments are vital. These students are the innovators and inventors who will make great strides in the years ahead. I am sure that some day soon we'll all marvel at Chen's camera for space, Ratna's fuel-efficient ideas and David's advances in diabetes research.

I'd also like to recognize the great volunteers at Sci-TechOntario, including my dear friend Dr. Patrick Whippley, who worked tirelessly and enthusiastically to support and encourage our young people in science and research. Congratulations to all of you.

#### VISITORS

**Mr. Norm Miller (Parry Sound-Muskoka):** On a point of order, Mr. Speaker: It's my pleasure to welcome to the Legislature today in the east visitors' gallery teachers Shannon Mills and Amber Hammond from Parry Sound High School, who are here with students to participate in the read-in and to promote the Miss G project to encourage women's studies course curriculum in Ontario secondary schools. Welcome.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** On a point of order, Mr. Speaker: I also wish to welcome the students, teachers and parents from Oneida Central Public School, a grade 5 class of Haldimand county kids.

**Hon. Jim Watson (Minister of Health Promotion):** On a point of order, Mr. Speaker: Earlier this afternoon, Tim Peterson and I had the pleasure of co-hosting a reception in support of Ontario's ski team. I'd like to point out in the members' gallery Jeff Ryley, founder of the World Cup Club; Joey Lavigne, Alpine Ontario athletic director; Doug Findlay, Alpine Ontario tech director; Mark Kristofic, Alpine Ontario president; and in the gallery up there, the young men and women of the Ontario ski team: Cameron Day, Curtis Lush, Jeff Hord, Kate Ryley, Kelby Helbert, Krystyn Peterson, Perry Watt, Marissa Riopelle, Laura Rozinowicz, Emma Kitchen, Ben Williams, Richard Long and Aimee Bell-Pasht. All these young athletes do us proud. It's also Tim Peterson's birthday today. Welcome.

1350

**Mr. Miller:** On a point of order, Mr. Speaker: It is also my pleasure to welcome representatives of the

Ontario AIDS Network, who are making presentations here today and are visiting in the members' gallery. Welcome.

**Ms. Andrea Horwath (Hamilton East):** On a point of order, Mr. Speaker: There are women here from the Miss G project. Members might remember they were here last year trying to convince government to put women's studies in schools.

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr. Speaker: I would like to welcome the Pretty couple, Carol and John Pretty from Collingwood, who are visiting us today. They're the aunt and uncle of my hard-working intern, Jacqueline Lock.

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: For those who haven't been welcomed, welcome.

## INTRODUCTION OF BILLS

### THUNDER BAY INTERNATIONAL AIRPORTS AUTHORITY INC. ACT, 2006

Mr. Mauro moved first reading of the following bill:  
Bill Pr27, An Act respecting Thunder Bay International Airports Authority Inc.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

### INTERIOR DESIGNERS ACT, 2006

#### LOI DE 2006

#### SUR LES DESIGNERS D'INTÉRIEUR

Mr. Peterson moved first reading of the following bill:  
Bill 121, An Act respecting interior designers / Projet de loi 121, Loi ayant trait aux designers d'intérieur.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Tim Peterson (Mississauga South):** I rise to recognize the members of ARIDO, the Association of Registered Interior Designers of Ontario: Lynn McGregor, the president; Susan Wiggins, the executive director; Martin Campbell, the lawyer; and the best designer, Phil Dewan. Please rise and be recognized.

## MOTIONS

### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** The long-anticipated motion that members of the House are waiting for, I know: I move that, pursuant

to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, June 6, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1355 to 1400.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

### Ayes

Amott, Ted	Hardeman, Ernie	Parsons, Ernie
Arthurs, Wayne	Hoy, Pat	Peterson, Tim
Balkissoon, Bas	Jackson, Cameron	Phillips, Gerry
Barrett, Toby	Jeffrey, Linda	Pupatello, Sandra
Bentley, Christopher	Kular, Kuldip	Ramal, Khalil
Berardinetti, Lorenzo	Kwinter, Monte	Ramsay, David
Bradley, James J.	Lalonde, Jean-Marc	Rinaldi, Lou
Broten, Laurel C.	Leal, Jeff	Runciman, Robert W.
Bryant, Michael	Levac, Dave	Ruprecht, Tony
Cansfield, Donna H.	MacLeod, Lisa	Sandals, Liz
Chambers, Mary Anne V.	Marsales, Judy	Scott, Laurie
Colle, Mike	Martiniuk, Gerry	Smith, Monique
Craiton, Kim	Matthews, Deborah	Smitherman, George
Crozier, Bruce	Mauro, Bill	Sorbara, Gregory S.
Delaney, Bob	McMeekin, Ted	Tascona, Joseph N.
Di Cocco, Caroline	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Watson, Jim
Duncan, Dwight	Miller, Norm	Wilkinson, John
Elliott, Christine	Mitchell, Carol	Wong, Tony C.
Flynn, Kevin Daniel	Munro, Julia	Wynne, Kathleen O.
Fonseca, Peter	Orazietti, David	Yakabuski, John
Gravelle, Michael	Ouellette, Jerry J.	Zimmer, David

**The Speaker:** All those opposed will please rise and be recognized one at a time by the Clerk.

### Nays

Bisson, Gilles	Kormos, Peter	Tabuns, Peter
Horwath, Andrea	Prue, Michael	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 66; the nays are 5.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ROYAL BOTANICAL GARDENS

**Hon. Caroline Di Cocco (Minister of Culture):** Today is a special day for the Royal Botanical Gardens. This morning I was joined by Mayor Larry Di Ianni of the city of Hamilton, and Chair Joyce Savoline of Halton region. I announced that the Ministry of Culture, the city of Hamilton and Halton region are providing one-time transitional funding of \$3.85 million over the next three years for the Royal Botanical Gardens.



As you know, the three partners undertook a review of the Royal Botanical Gardens last year, reflecting our partnership and commitment to solving the problems faced by the gardens. We have worked closely with Halton region and the city of Hamilton to support the RBG review committee's report and the RBG's transition plan.

The review indicated that the RBG was in need of transitional support to move the organization from instability to stability. That is why my ministry is providing \$2.57 million, of which \$400,000 was advanced in April 2006. The region and the city will provide over \$600,000 each. This is an additional investment on top of the annual funding of \$1.9 million provided by my ministry each year to the Royal Botanical Gardens. It is also above and beyond the annual funding provided by Halton and Hamilton.

This transitional funding will help the Royal Botanical Gardens create a new image and new offerings that will lead to increased attendance and more self-generated revenues. Our investment will help the RBG protect and preserve our province's rich botanical heritage. It will also help its transformation in key areas, including marketing, partnership development and outreach, education and research, and horticulture and conservation.

The government of Ontario, under the leadership of Premier Dalton McGuinty, is committed to supporting the Royal Botanical Gardens as an important cultural and educational centre. The RBG is recognized for its unique contribution to the collection, research, exhibition and interpretation of the plant world. The RBG grounds span over 1,100 hectares—about 2,700 acres—which includes 30 kilometres of hiking trails and 300 acres of cultivated gardens, making it the largest botanical garden in Canada. It is a living museum which serves local, regional and global communities and promotes better understanding of the relationship between the plant world, humanity and the rest of nature.

I believe that together we can preserve and protect these beautiful gardens and lands for future generations.

## ENVIRONMENTAL PROTECTION

### PROTECTION DE L'ENVIRONNEMENT

**Hon. Laurel C. Broten (Minister of the Environment):** The first week of June is recognized across Canada as Environment Week, with June 5 celebrated around the world as Environment Day. This represents a clear call to action and a collective acknowledgment of a fundamental imperative: We must take better care of this planet.

Le 5 juin se veut un appel à l'action claironnant. Il symbolise notre reconnaissance collective d'une vérité profonde et fondamentale : nous devons mieux prendre soin de la planète.

This is also smog season. Summer is upon us and we've already had multiple smog alerts. Air pollution and climate change are the two most critical environmental

issues of our time. This government is passionate about protecting the health of all Ontarians. That is why we are taking aggressive action to protect and improve the air we breathe. We know that a cleaner, greener Ontario is a healthier, more prosperous and more successful Ontario.

I want to focus on the air we breathe. Last year alone, air pollution caused 5,800 premature deaths in our province. It put more than 17,000 Ontarians in hospital and resulted in more than 60,000 emergency room visits. Who were those people who suffered? Were they our neighbours, our friends? They could be any one of us or any of our loved ones. When you add up the human costs along with the environmental and economic damages, which now are estimated to be around \$9.6 billion, the price we are paying is too high.

It is absolutely critical that we focus on what we can do personally to reduce air pollution. Tomorrow is Clean Air Day. It's a great opportunity to choose to ride transit or ride a bike, remembering to turn off the lights and planning ways to reduce, reuse and recycle. All of these steps will help us cut down the amount of harmful emissions going into our air.

Our government is leading the way with initiatives to cut pollution and greenhouse gas emissions. Yes, we are reducing our reliance on coal-fired energy plants, and, yes, we are moving forward with our commitments to clean, renewable energy. We've signed contracts for 1,300 megawatts of wind power, enough for 300,000 homes. And we are putting our own house in order by reducing energy use throughout all government buildings.

With the Greenbelt Act and Places to Grow, we have a comprehensive, long-term plan that curbs urban sprawl. We are also giving people more options to leave their cars at home. Over the next five years, more than \$1 billion will be invested in public transit through the provincial gas tax, and \$3.1 billion will be going towards improving and expanding transit through ReNew Ontario. Better transit means fewer cars on our roads and fewer harmful emissions in the air we breathe.

### 1410

We have also improved Ontario's Drive Clean program by focusing on older cars that are more likely to pollute. We have exempted hybrids from testing and offered owners of qualifying hybrids a provincial sales tax break of up to \$2,000 to encourage people to drive greener and more environmentally friendly vehicles.

Soon, all cars in Ontario will be operating on cleaner fuel. We have put in place a regulation that requires all gasoline in our province to contain 5% ethanol, on average, beginning in 2007.

We have set new and updated standards for 40 harmful air pollutants and set strict limits on seven industrial sectors to reduce smog-causing emissions, marking the strongest stand any Ontario government has taken on air pollution in 25 years.

Our government is taking the lead. Yes, it's ambitious and, yes, it's aggressive, but that is the kind of action we must take to ensure Ontario's families have clean air to breathe.



We are also encouraging other jurisdictions to follow our lead. In May, I went to Washington with a clear message that we need to work together with our US neighbours to improve the air we all share. Later this month, the Premier and I will be hosting the second shared air summit, where we will seek solutions for our cross-border air issues. But we can't do it alone. That's why we are working to build closer, more effective relationships with provinces and states to deal with the very real issues of transboundary air pollution.

Nous savons que nous ne pouvons pas réussir tous seuls. C'est pourquoi nous tissons des liens plus étroits et plus efficaces avec les provinces et les États américains pour aborder les questions liées à la pollution atmosphérique transfrontalière.

We are encouraging our neighbours to work with us, and urging Ontarians to each do their part for cleaner air. Each of us can help make a big difference by taking small steps to improve the air we breathe. Every week should be Environment Week.

## RECREATION AND PARKS MONTH

### MOIS DE LA RÉCRÉATION ET DES PARCS

**Hon. Jim Watson (Minister of Health Promotion):** I'd like to congratulate Parks and Recreation Ontario, the Ontario Parks Association and the Ontario Recreation Facilities Association for their efforts in having June proclaimed Recreation and Parks Month in Ontario.

Recreation and Parks Month supports the ideals and priorities of our ministry and the McGuinty government. It declares that recreation enhances quality of life, builds healthy bodies and positive lifestyles, and strengthens volunteer and community development while creating vibrant communities.

Depuis que nous avons lancé notre stratégie Vie Active 2010 visant à accroître la participation des Ontariens et Ontariennes à des activités physiques et sportives, il y a deux ans, nous avons investi plus de 17 \$ millions annuellement pour appuyer l'activité physique, la pratique du sport et le développement des loisirs dans cette province.

Through our communities in action fund grants, which I know all members are aware of, we support many organizations affiliated with community recreation and parks. This fund invests in community sport and physical activity, and helps remove barriers to participation. Recently, we announced \$5 million to continue this program into a third year.

In addition, we are investing \$3.5 million over the next five years in the implementation of the long-awaited Ontario trails strategy, our long-term plan to strengthen and enhance more than 64,000 kilometres of urban, rural and wilderness trails. Out of this, we have allocated \$440,000 per year to our Trails for Life grant program. Trails for Life is a key component of the Ontario trails strategy that supports the government's plan to promote and extend Ontario's trail system for the health and

prosperity of Ontarians. This year, 17 successful projects will undertake initiatives such as a central website with information about trails across the province and a code of ethics for trail users.

Notre gouvernement appuie les familles qui accordent de l'importance à un mode de vie actif et sain. Les parcs, ainsi que les organisations et les centres de loisirs de l'Ontario, constituent d'importants partenaires. Ils visent les mêmes objectifs que nous, soit améliorer la santé et le mieux-être de tous les Ontariens.

We are committed to continued collaboration with organizations such as Parks and Recreation Ontario, the Ontario Parks Association and the Ontario Recreation Facilities Association. I had the pleasure of being in Guelph at their annual general meeting not too long ago, and I commend them for the good work they and all our other partners for sport and recreation development in the province are doing.

We value the role these organizations play in helping us achieve the goals and objectives of initiatives such as Active 2010 and in supporting sport and recreation across the province.

Recreation and Parks Month is a celebration of the values and benefits of recreation in everyday life. The theme, To Live it Every Day, is an important message for all Ontarians to support healthy, active living. I encourage all of you to enjoy your local parks and recreation facilities across the province this month.

**The Speaker (Hon. Michael A. Brown):** Responses?

## ROYAL BOTANICAL GARDENS

**Mrs. Julia Munro (York North):** I'm pleased to respond to the Minister of Culture. First of all, I'd like to congratulate the Royal Botanical Gardens on this announcement, reflecting on a rather long road from the dire straits they found themselves in a couple of years ago. It's certainly a good-news announcement for the gardens.

I think it also demonstrates the fact that today there is a huge interest in gardening. There were some statistics given about how people were going to spend the Victoria Day weekend and, actually, gardening outclassed golfing, which I thought was kind of interesting.

The Royal Botanical Gardens has provided leadership for us. Certainly the science of horticulture is ever-expanding, and there's the increased recognition of the connection between people and their natural environment.

The Royal Botanical Gardens, as was announced by the minister, is the largest of its kind in Canada. It certainly demonstrates the importance and the role of the Royal Botanical Gardens to all of us in Ontario, particularly, obviously, the people closest to it, but for all Ontarians and its many visitors.

## ENVIRONMENTAL PROTECTION

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** Yesterday, June 5, was World Environment Day. It's an



annual event that has taken place since 1974. This year's theme was Deserts and Desertification—Don't Desert Drylands. It was celebrated around the world in more than 100 countries, with municipalities, businesses and communities all taking part. Protecting the world we live in is something that can unite people from all around the world, regardless of what country or continent they come from. It is a day when we can focus worldwide attention on the importance of our environment. The health of our planet affects us all.

Drylands contain 43% of the world's cultivated lands, but each year an estimated US\$42 billion is lost from agricultural production due to land degradation.

In past years, World Environment Day has focused on green cities, seas and oceans, water, the world wide web of life, and children and the environment. The theme of the first World Environment Day was Only One Earth. I believe this clearly sums up the important work done each and every day since then.

#### RECREATION AND PARKS MONTH

**Mr. Norm Miller (Parry Sound–Muskoka):** The minister today made a good-news announcement to do with parks. I would like to highlight some announcements that are not so good to do with parks, and our fish and wildlife as well. They're both very recent.

OPSEU's online announcement of June 2, 2006, stated, "McGuinty government slashes provincial park staffing by 19%." This is obviously going to affect programs in parks and many different services in the parks. It states in this press release, "The cuts will affect service in every area of the parks. Educational and park interpretive staff are being cut back. Park wardens are being cut back. Park stores are closing or having their hours of operation reduced. Some parks will shut their gates earlier at the end of the summer."

I can tell you, speaking for my own riding, I've met with the township of Machar to do with Mikisew Provincial Park, and they want to see the park opened earlier and be open for longer time periods because it has such a positive economic benefit for the township of Machar. So this is indeed bad news that the McGuinty government is slashing provincial park staffing by 19%.

Another recent announcement by the Ontario Federation of Anglers and Hunters, a media release: "McGuinty Slashes MNR's Flagship Environmental Program," cutting 50% to save \$500,000 on the community fisheries and wildlife involvement program. So they're talking about saving \$500,000 on this program. I want to tell you, this program affects some 35,000 volunteers and some 600 projects around the province, like stream restoration, fish stocking, tree planting, erosion control, spawning bed improvement, fish ladder construction, building nesting structures for birds—many very worthwhile projects. Yet this government, to save \$500,000, is affecting the work of some 35,000 volunteers around this province. I think that's very shortsighted. I hope the government will reconsider this move

to cut this \$500,000, agree that this is an investment in our natural resources and not cut these programs.

1420

#### ROYAL BOTANICAL GARDENS

**Ms. Andrea Horwath (Hamilton East):** In response to the Minister of Culture's announcement, I have to say I'm pleased to have been able to have played a role in keeping the government's feet to the fire on this file with the RBG, but what we need to remember is that the RBG—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order, Minister of Health, Minister of Energy. I need to be able to hear the member for Hamilton East.

**Ms. Horwath:** What we know is that the RBG needs sustained and adequate government funding. The words "one-time funding" continue to concern those of us who are passionate about seeing the RBG emerge to be everything it can be. The RBG needs to be a unique scientific and educational garden collection, and programs need to be put in place that will attract visitors from all over the world as well as Canada, like it used to do. It will take a long-term commitment to build the garden and that reputation. The RBG is a treasure for all of Ontario and Canada, not just Hamilton and Halton.

While I applaud my city of Hamilton and the region of Halton for sticking by the RBG when the McGuinty Liberals were on the fence, it is the senior level of government that must make ongoing financial commitments to the RBG. There has been a dramatic decrease in staffing at the RBG. Even with its peak amount of 45 employees a couple of years ago, it was considered to be a skeleton crew, an insufficient number of staff to run the place. Now they're down to 21 staff, two part-timers; there were 22 layoffs two years ago and the quality of the garden has suffered significantly. You'll remember those layoffs because they're the layoffs that were put in place while your deputy minister was running herd over the review committee. You can't fully restore the RBG by adding short-term staff. In fact, even last week I heard of another full-time staffer who was cut from the RBG.

In order to renew the facility in the manner in which the review committee has recommended, there has to be reinvestment in support systems. For example, the outdated greenhouses need to be retrofitted or replaced. The RBG, at this point in time, still doesn't have computerization and there's no automated system for its plant inventory. In fact, some of the RBG's horticultural collection has already been lost and there's no funding provision that will allow the acquisition of new or replacement plants in that collection. A world-class garden will never be world-class without the staff who are specialists in horticulture and expertly maintain the grounds. If the funding is truly tied to the RBG review committee recommendations, then staffing would have been a big part of the government's news release, and it isn't.

As stewards of this provincial treasure, we need to ensure a number of things: that the RBG returns a focus to scientific and educational horticultural mandate; that the government of Ontario commit to providing ongoing adequate funding to meet that mandate; that staffing be refocused and vacant positions relating to the mandate be filled; that marketing and revenue generating initiatives focus on the RBG's excellence in scientific and educational horticultural mandate.

In short, we need to make the RBG the acclaimed horticultural centre it should be and everybody will win over the longer term.

## ENVIRONMENTAL PROTECTION

**Mr. Peter Tabuns (Toronto–Danforth):** It's hard to know where to start in responding to the statement by the Minister of the Environment on Environment Week. It was an extraordinary statement. One of her lines, that air pollution and climate change are one of the most critical environmental issues that we face in this world: Yesterday I asked the Minister of the Environment, is her government going to bring forward a Kyoto plan? Stephen Harper has dropped the ball. Is that government going to bring forward a Kyoto plan? No. You have not brought forward a plan and you know it. Your minister yesterday danced and skated around the issue. Today we get to hear about the total wonders of this government in relation to the environment. Another line reducing reliance on coal-fired power plants: talk of closure, out the window; talk of phasing out coal-fired power plants, out the window. It's ending. Any commitment, any pretence of commitment, to the environment is going out the window.

Now we hear about new standards for dealing with air pollution. This very same minister was asked about stopping the burning of tires at the Lafarge cement plant in eastern Ontario. What did we get? All kinds of obfuscation. Any commitment to really dealing with the question of recycling? Any commitment to dealing with the fundamental environmental problem? No. None.

This government is putting out statements like this and setting aside the real work, the real commitment, the real resources that are needed to deal with the environmental crises we face. Air pollution kills thousands of people now. Is this government going to put in place waste diversion so we can block the development of incineration? No. Is this government going to deal with climate change in the way it has to be dealt with? Absolutely not. This government is going to sit on its hands while the earth heats up around us.

## WEARING OF PINS

**Hon. George Smitherman (Minister of Health and Long-Term Care):** On a point of order: Our guests from the Ontario AIDS Network have already been well welcomed here today, but might I ask for unanimous consent that any member and any of our visitors who wish to may

wear the red pin, the international symbol of AIDS awareness.

**The Speaker (Hon. Michael A. Brown):** Mr. Smitherman has asked for unanimous consent to wear the red pin for international AIDS awareness. Agreed? Agreed.

**Mr. Gilles Bisson (Timmins–James Bay):** On a point of order, Mr. Speaker: We would be most glad to wear the ribbon. Unfortunately, we need them distributed to the opposition lobby, if they can take care of that, please.

## DEFERRED VOTES

### HUMAN RIGHTS CODE AMENDMENT ACT, 2006

### LOI DE 2006 MODIFIANT LE CODE DES DROITS DE LA PERSONNE

Deferred vote on the motion for second reading of Bill 107, An Act to amend the Human Rights Code / Projet de loi 107, Loi modifiant le Code des droits de la personne.

**The Speaker (Hon. Michael A. Brown):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1427 to 1432.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Fonseca, Peter	Parsons, Ernie
Balkissoon, Bas	Gerretsen, John	Patten, Richard
Bentley, Christopher	Gravelle, Michael	Peterson, Tim
Berardinetti, Lorenzo	Hoy, Pat	Phillips, Gerry
Bountrogianni, Marie	Jeffrey, Linda	Pupatello, Sandra
Bradley, James J.	Kular, Kuldip	Ramali, Khalil
Brotten, Laurel C.	Kwinter, Monte	Ramsay, David
Bryant, Michael	Lalonde, Jean-Marc	Rinaldi, Lou
Cansfield, Donna H.	Leal, Jeff	Ruprecht, Tony
Chambers, Mary Anne V.	Levac, Dave	Sandals, Liz
Colle, Mike	Marsales, Judy	Smith, Monique
Cordiano, Joseph	Matthews, Deborah	Smitherman, George
Craiton, Kim	Mauro, Bill	Sorbara, Gregory S.
Crozier, Bruce	McGuinty, Dalton	Van Bommel, Maria
Delaney, Bob	McMeekin, Ted	Watson, Jim
Di Cocco, Caroline	McNeely, Phil	Wilkinson, John
Duguid, Brad	Meilleur, Madeleine	Wong, Tony C.
Duncan, Dwight	Mitchell, Carol	Wynne, Kathleen O.
Flynn, Kevin Daniel	Oraziotti, David	Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Arnott, Ted	Jackson, Cameron	Prue, Michael
Barrett, Toby	Kormos, Peter	Runciman, Robert W.
Bisson, Gilles	MacLeod, Lisa	Scott, Laurie
Elliott, Christine	Marchese, Rosario	Tabuns, Peter
Hampton, Howard	Martiniuk, Gerry	Tascona, Joseph N.
Hardeman, Ernie	Miller, Norm	Yakabuski, John
Horwath, Andrea	Munro, Julia	
Hudak, Tim	Ouellette, Jerry J.	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 57; the nays are 22.



**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading? The Attorney General.

**Hon. Michael Bryant (Attorney General):** I refer the bill to the justice committee.

**The Speaker:** The bill is referred to the standing committee on justice policy.

#### ANNIVERSARY OF D-DAY

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I believe we have unanimous consent for all parties to speak for up to 90 seconds to recognize the 62nd anniversary of D-Day.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has asked for unanimous consent for all parties to speak for up to 90 seconds to recognize the 62nd anniversary of D-Day. Agreed.

**Hon. Mr. Bradley:** Today, June 6, 2006, marks the 62nd anniversary of D-Day and the Battle of Normandy. It was a decisive battle that changed the course of the Second World War and set the stage for the liberation of millions of people in Europe. It was a defining moment in the war, in Canada's history and indeed in world history.

Although the war in Europe continued for more than 11 months, it was the invasion of Normandy, the largest combined sea, land and air offensive in history, that signalled the beginning of the end of the Second World War in Europe.

Canadian troops were at the forefront that fateful day, advancing further inland than any other force. One hundred and fifty-five thousand Allied troops, including more than 20,000 Canadians, many of whom were not yet 20 years old, distinguished themselves in the invasion and battle. The invasion force included Ontarians from across the province, whose courage and bravery at sea, in the air and on the ground helped shape the province we live in today.

We have the privilege and good fortune to live in freedom and prosperity because of their sacrifices. As the decades pass, we need to take full advantage of every opportunity to directly thank those who fought on D-Day and in the Battle of Normandy. We owe them a debt of gratitude. We honour those who fought for us and those who died for us.

It is crucially important that we remember the thousands who made sacrifices. Let us honour them by cherishing the gifts they gave us—not the least the preservation of democracy—and treat their legacy with respect every day here in the Legislature. May we choose to show the same courage and selflessness in our own lives as those who fought on our behalf. May we never take freedom for granted and may we always remember.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** Sixty-two years ago, the process began that brought new life for nations in Europe and assured our nation of

freedom from the threat that had been hanging over the world for years.

It's D-Day 62 years ago. Four hundred and fifty members of the RCAF parachuted into Normandy. Fighter planes engaged the enemy on the ground and in the air. One hundred and nine vessels of the RCN took part in the invasion; 10,000 soldiers were involved. Fourteen thousand Canadian soldiers took part in the landing on the shores of Juno Beach: 350 were killed, 715 wounded and 47 taken prisoner.

I'm going to read John McCrae's WW I poem, In Flanders Fields, in honour of all those who served on D-Day and for Canada's men and women who still today rise to the challenge of his words: "Take up our quarrel with the foe: / To you from failing hands we throw / The torch; be yours to hold it high...."

In Afghanistan, in the war against terrorism and the struggle for peace, our soldiers risk their lives and meet death. Sixteen have been killed and many injured. Along with the 350 killed on D-Day, we honour those soldiers too.

In Flanders fields the poppies blow  
Between the crosses, row on row,  
That mark our place; and in the sky,  
The larks, still bravely singing, fly  
Scarce heard amid the guns below.

We are the dead. Short days ago  
We lived, felt dawn, saw sunset glow,  
Loved and were loved and now we lie  
In Flanders fields.

Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders Fields.

In appreciation for all those who served in our forces in World War II and Korea and international missions since, we unite in this Legislature today in our thanks.

1440

**Mr. Howard Hampton (Kenora-Rainy River):** On behalf of New Democrats, I'm pleased to be able to again recognize the anniversary of D-Day, in this case, the 62nd anniversary of D-Day. Now, 62 years later, it may sometimes be difficult to appreciate the magnitude of what was undertaken on June 6, 1944. It is very difficult to appreciate the magnitude of what was accomplished. And it is important, I think, that we recognize what was accomplished by Canadians.

Amongst all the Hollywood movies and the bravado that is sometimes shown, Canadians actually had some of the most difficult fighting under some of the most difficult circumstances on June 6, 1944. In fact, when the German army decided to counterattack to try to break up

the invasion, it was directly at the beach that was held by Canadians—Juno Beach—that they aimed their counter-attack. So not just on D-Day, but in the days following, Canadians were involved in some of the most difficult, some of the most atrocious fighting. We need to recognize that, and the sacrifice that was made and the tremendous accomplishment of those people.

## ORAL QUESTIONS

### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds–Grenville):** My question is for the Premier. Premier, yesterday, this House endorsed our leader John Tory's motion for your government to call a full public inquiry into the handling of the Caledonia situation and the resulting violence there. In a Legislature where your party has a 2-to-1 majority, it was recognized that your procrastination and failure to show leadership when it was most needed allowed the situation to escalate into a public safety crisis. Premier, will you respect the democratic will of the Legislature and call a full public inquiry?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** No, I will not join with my Conservative colleagues in playing politics with a very important, complicated and sensitive issue. The members opposite seem to think that the issue of Caledonia is a laughing matter; we see it differently on this side of the House. We are going to approach this on a continuing basis in the same manner with which we've approached it to date. We will be patient. We will bring respect. We will bring goodwill. We will persevere. We will work as long and as hard as is necessary to resolve this in a peaceful manner.

**Mr. Runciman:** Premier, while you've been racking up your travel points traipsing all over the country, you and your colleagues have been missing in action on a serious and escalating situation in Caledonia. Surely you can't be satisfied with your government's handling of this situation. If you will not call for an inquiry, then how can you learn from your mistakes? How do you intend to assure Ontarians that they will not be subjected to the mistakes your government has made, mistakes this House has told your government it has made, from occurring again? Will you respect the democratic will of the House and proceed with an inquiry?

**Hon. Mr. McGuinty:** I think it's really important for the benefit of the people of Ontario that we remove that which is under the table and put it on top of the table. We have a decidedly different approach in these matters. The party opposite would prefer that we direct a police action. Let's be honest about where they're coming from in this regard. That is their preference.

We bring a different approach. It is thoughtful; it's based on our recent understanding of some painful lessons in the history of this province. We will proceed in

the same manner that we have to date. We will work closely with the federal government, we will be cautious, we will be thorough, we will be thoughtful, we will do everything we can to bring all the parties to the table so that we can resolve this in a peaceful manner.

**Mr. Runciman:** That's a familiar and totally offensive allegation. The Premier should be made aware of the sub judice convention when he goes down that road.

Premier, so much for your promises of democratic renewal: Reject and ignore the will of the Legislature. From day one, due to your lack of leadership and that of your cabinet, your government has procrastinated, pointed fingers and mishandled the situation in Caledonia until it's become a full-blown public crisis.

Yesterday, members of this House spoke loud and clear. They said there has to be a public inquiry into your mismanagement of the Caledonia standoff. During the election campaign, you promised to promote democratic renewal, but once again you've failed to follow through. Premier, when you have a chance, why do you choose to break another promise, why do you choose to ignore the will of this assembly and why do you refuse to call a public inquiry into your mishandling of the Caledonia standoff?

**Hon. Mr. McGuinty:** I prefer to be direct with Ontarians. Again, the Conservatives prefer that we direct the police and that we send them out on some kind of police action. We see things differently. They have not drawn the appropriate lessons from what happened some four years ago. We have.

Just a little over four weeks ago, in fact, MPP Toby Barrett said, in reference to the OPP, "They're getting, obviously, no sense of direction or leadership from the government. There's got to be some kind of direction for the OPP."

At least Mr. Barrett is straightforward and direct with respect to the perspective he brings in this. But I suggest to my friend opposite that he really should own up to the fact that the objection he has, in terms of the approach we have taken, is that we have refused to direct the Ontario Provincial Police. We will not apologize for doing that. We will not apologize for working as hard as we can to obtain a—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

**Mr. Tim Hudak (Erie–Lincoln):** Premier, I remind you that today is day 99 of the crisis in Caledonia. Yesterday this House endorsed John Tory's motion for your government to call a full public inquiry into your mishandling of the crisis in Caledonia.

Premier, are you a man of your word? During the election campaign, you said you would make this place work better. You promised to respect free votes and, above all else, the will of the Ontario Legislative Assembly. Are you a man of your word? Will you call the inquiry voted on in the House last night?

**Hon. Mr. McGuinty:** I draw from that that the principal objection being raised by the member opposite is that this has gone 99 days largely without incident,



without injury and without war. I suggest that the member opposite tell us, then, on what particular day—if he's not satisfied with the police not having rushed in on the 99th day—would he have directed the Ontario Provincial Police to enter?

**Mr. Hudak:** With all due respect, I cannot believe the Premier just said “without incident.” Where has the Premier been? When were you going to get out from behind your desk, Premier?

In the last 98 days we have seen a major highway torn up by a backhoe; we have seen blockades restricting the right to free travel; we may very well have seen a major energy transmission site sabotaged, working into a major blackout; and we saw sad, violent and unforgettable images of local residents engaged in a massive brawl to the point of riot. And what have we seen from this Premier? Barely a peep from beneath his desk.

Premier, when are you going to show some leadership? When are you going to stand up and call a full public inquiry into the crisis in Caledonia?

**Hon. Mr. McGuinty:** It's not about the inquiry. It's never been about the inquiry. What the member opposite is asking us to do is to direct the Ontario Provincial Police in the conduct of a police action. We will not do that. We will not apologize for making every effort possible to work with the federal government, to work with the First Nations community, to work with the community of Caledonia, to work with all those who have a sincere desire to bring about a resolution that is ultimately peaceful. That is our objective. We remain firm in seeking out that objective.

1450

**Mr. Hudak:** I say to the Premier that I know you wish you could tap your heels three times and make all of this go away, but there are times, Premier, particularly at times like these, when you need to stand up and show some leadership and do the right thing. A community that has been healthy and vibrant and strong is being torn apart at the seams. This crisis, now in 99 days, has become the poster child for your lack of leadership.

As you know, the motion yesterday, passed by the assembly, said in part, “To recognize that the Premier's procrastination and failure to show leadership when it was most needed allowed this situation to escalate into a public safety crisis.” Premier, the people of Halton, the people of Six Nations, the people of Norfolk, the people of Hamilton, the people of Ontario want to know, when are you going to get out from underneath your desk, call a full inquiry and investigate the lack of leadership you have shown in this matter?

**Hon. Mr. McGuinty:** The Conservatives remain stuck in some era long gone by. The approach they advocate, I say with every conviction, is completely out of keeping with the values of the people of Ontario at the beginning of the 21st century. They understand that this is a complicated matter. It is steeped in over a century of history. It is really important that the parties do everything they possibly can to cultivate some foundation of respect and goodwill. That's what we've been working

very hard to do, together with our federal partners, together with the First Nations community, together with the local community. We will not abandon our responsibility to bring real leadership to this issue. Again, we will continue to work as hard as we can to foster the kind of climate that will ultimately lead to a peaceful resolution.

## ENVIRONMENTAL PROTECTION

**Mr. Howard Hampton (Kenora–Rainy River):** A question for the Premier: Can the Premier explain why the McGuinty government is watering down Ontario's environmental standards to give nuclear power plants and new garbage dumps easy and quick approval?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I know the minister looks forward to speaking to this, but let me just say that we are working very hard to ensure we can have the best of both worlds here in the province of Ontario. We want to ensure we have the proper regulatory regime in place that protects the health of our citizens, while at the same time ensuring we can continue to grow this economy in the best possible way. What the minister has done today, and what she will continue to do throughout, is to ensure that we continue to strike that balance. The member opposite sees things differently. He thinks we have to choose between a strong economy and a safe environment. We think Ontarians are entitled to more than that; we want for them both.

**Mr. Hampton:** Premier, you're the one who promised a full environmental assessment of new nuclear plants. If we look to the province of Quebec, Quebec provides for provincial environmental assessments of new nuclear plants; so does New Brunswick. Will you guarantee working families, worried about the long-term environmental costs and the long-term financial costs of nuclear power, that your \$40-billion nuclear mega scheme will be the subject of a tough, thorough and extensive provincial environmental assessment?

**Hon. Mr. McGuinty:** To the Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** As the leader of the third party should know, nuclear facilities are the subject of federal environmental assessment. Nothing with respect to the announcements we've made today, which are to ensure that we have an environmental assessment process ready to protect Ontarians for the 21st century, an environmental assessment process that will help us get green projects online faster, renewables, green energy projects, transit, get people out of their cars and on to transit, which are all good and protective of the environment. It's exactly what these environmental assessment reforms are about. We want to get to “yes” faster when that's the appropriate answer and get to “no” faster when that is the appropriate answer. I have to be crystal clear to Ontarians that we will absolutely continue to protect the environment, as we move forward with this absolutely great tool that the ministry has.



**Mr. Hampton:** And I want to be equally clear with people what this is all about. The David Suzuki Foundation, Greenpeace Canada and the Pembina Institute had a legal opinion prepared which says very clearly that the McGuinty government would have to have your nuclear mega power plant scheme go through a provincial environmental assessment; that is, the electricity supply mix plan would have to go through a provincial environmental assessment.

What you have announced today is an attempt by the McGuinty government to avoid that. You don't want your \$40-billion nuclear mega power plant scheme to have to go through an environmental assessment. That's what this is all about.

So I ask my question to the Premier again. Instead of trying to avoid the issue, will the Premier guarantee that your \$40-billion nuclear mega scheme is the subject of a thorough provincial environmental assessment?

**Hon. Ms. Broten:** It's unfortunate that the leader of the third party continues to choose to misinform Ontarians.

The announcement that we have made is about prospective changes, the changes that we will make to ensure that the environmental assessment process continues to protect Ontarians. An environmental assessment of any nuclear facility would undergo a federal EA, and the province would participate actively to ensure that the environment, human health and the public interest are protected. That's our commitment to the environment, and that's our commitment to Ontarians.

**The Speaker (Hon. Michael A. Brown):** New question.

**Mr. Hampton:** To the Premier, Speaker. I've at least got a legal opinion that says you have to submit your nuclear power scheme to a full provincial environmental assessment. Rather than accusing people of misinforming, maybe you can show us your legal opinion, Premier, that says you don't have to submit it to a full environmental assessment.

**Hon. Mr. McGuinty:** To the Minister of the Environment.

**Hon. Ms. Broten:** As I've said to the leader of the third party, the announcements I made today with respect to streamlining and improving the environmental assessment process are prospective in nature. Over the next number of months we will work to develop codes of conduct to ensure that everyone participating in the environmental assessment process, who have as their aim protecting the environment, will have an understanding of the proper process and the proper protocols.

We will be putting these things in place, consulting on them, moving on them over the next six to 18 months, so that we can have an environmental assessment process that moves along projects that should be moved along, and that quickly says no to projects that are inappropriate and should not move ahead in the province so that we better protect Ontarians.

**Mr. Hampton:** Again to the Premier, what we saw six months ago was the Ontario Power Authority's electricity

supply mix report, which advocated a \$40-billion mega nuclear power scheme. Six months later, the McGuinty government, after trying to sidle this way and then that way, refuses to respond to the Ontario Power Authority. In fact, what we now hear is that you're not going to respond until some time this summer. I take it you hope that if you respond some time this summer, people won't notice the response. Now we see the Minister of the Environment announce that you're going to water down Ontario's environmental assessment rules.

Premier, could I ask you this: What is the McGuinty government afraid of? Why do you want to water down the environmental assessment rules? Why are you so afraid to respond to the Ontario Power Authority's electricity supply mix plan?

**The Speaker:** The Minister of the Environment.

**Hon. Ms. Broten:** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** I think [*failure of sound system*] in the world who wants the operator to be the regulator of nuclear power. That's foolish. You should be embarrassed by that. We have a long-standing tradition in this country of the operators of nuclear facilities not being the regulators. We don't regulate security, we don't regulate environmental assessment and we don't regulate the disposal of waste. It's tomfoolery to suggest for one moment that the operator should be the regulator. That is where we run into problems.

**1500**

The other thing that ought to be set straight is that environmental regulations and assessment ought not to be used to block new renewable energy sources. The member forgets that we're doubling renewable opportunities in Ontario. So we oppose the operator being the regulator of nuclear facilities, and we welcome full federal—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** It is interesting to watch the McGuinty government, that has speeches full of platitudes about protecting the environment, and what we see today is the McGuinty government trying, any which way it can, to avoid the kind of environmental assessment of its electricity supply mix plan that Greenpeace, the David Suzuki Foundation, the Pembina Institute and the Canadian Environmental Law Association say is obligated.

I asked the Premier a minute ago, instead of accusing people of misleading Ontarians, where's the McGuinty government's legal opinion that says that you do not have to submit your mega nuclear scheme to a provincial environmental assessment? You don't have it. So I ask the Premier again, why are you looking for a place to hide on your mega—

**The Speaker:** The question has been asked.

**Hon. Mr. Duncan:** Let me also say what Mr. Suzuki pointed out: "Ontarians need a reliable power system that doesn't leave a legacy of economic or environmental debt. Today's announcement will revolutionize the market for clean, renewable energy in North America and lay the groundwork for a healthier, brighter future." That's David Suzuki.

Not only is there an entire history in the nuclear field in this country revolving around separation of operator



from regulator, it's been well reinforced, whether you're talking about the installation of new nuclear facilities, whether you're talking about refurbishment of existing nuclear facilities or whether you are talking about what we do with the disposal of waste. I reject out of hand his notion and the notion of anyone else who suggests that the operator should be the regulator. That would be a recipe for disaster in the long term. A prudent, responsible approach to nuclear power, to the ongoing maintenance of nuclear power or new nuclear power, should that be required, is a separation of operation and regulation. We support that—

**The Speaker:** Thank you, Minister. New question.

### HEALTH PROMOTION

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):**

My question is to the Premier. Your Minister of Health Promotion has identified physical activity and sports participation as key activities to directly contribute to healthy Ontarians and stronger communities. Premier, as you know, last week I appealed to this Legislative Assembly and I've appealed to elite athletes in Caledonia and Six Nations, to coaches and parents and to community leaders to take the lead in promoting healthy competition among young people in Six Nations and Caledonia.

Premier, given my appeal in this House last week, what has your Minister of Health Promotion now done to promote this goal, to take a lead with respect to the sports teams in Caledonia and Six Nations?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm going to refer this to the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I'm very pleased to see the constructive attitude that the member is bringing to this, because all the way through the Caledonia conflict, we've been working with both communities to try to bring them together. Ideas like these in health promotion and sports activity—and as the member well knows, lacrosse is a common sport, and the two communities share hockey as a passion, as all Canadians do. These sorts of constructive ideas are very helpful for us in working out this particular conflict. I salute the question.

**Mr. Barrett:** Minister and Premier, there is a reason for your Ministry of Health Promotion beyond cutting ribbons and self-promotion at media events. There is a crisis with respect to culture and recreation. There is a concern about local anger impacting access to sports facilities. I warned this House last week that opposing teams are unwilling to show up for baseball games. This flies in the face of the objectives of stronger communities through that particular ministry.

Premier or Minister, athletes are suffering. Their games are either cancelled outright or they're rescheduled into the future. What are you doing, where are you, where's your minister to keep these games on track

both in Caledonia and in Six Nations? People aren't showing up; they want you to show up.

**Hon. Mr. Ramsay:** I would ask the member, being the local member who has all the connections in the community, if maybe he could help us in doing that, in bringing the two communities together. I think that's a very helpful suggestion, and we could certainly use his help there. As you know, we have been working with the liaison group from the Caledonia community, which is made up of municipal officials, business officials and other community reps. On the cultural-recreational side, this is a very important interface the two communities have there, both Six Nations and the residents of Caledonia. So these suggestions are helpful. I'd ask the member to work with us, with the various people from the government of all ministries. They're on the ground in his riding trying to resolve this situation.

### NATIVE LAND DISPUTE

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. Many of us have felt for some months that your government has procrastinated, mismanaged and failed to show leadership with respect to the events that have unfortunately unfolded at Caledonia. Yesterday we saw some more of that failure of leadership: A motion was presented here in the Legislature, and members of your government somehow couldn't decide if they were in favour or if they were opposed, or what the McGuinty government's position was on the resolution. As a result, it was passed unanimously.

So my question is this, Premier: Are you going to call an inquiry into the situation at Caledonia so First Nations can get the full details on how the McGuinty government has dropped the ball, or is it your position that you merely dropped the ball again yesterday?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Frankly, I'm surprised that the leader of the NDP, who generally expresses a sincere desire to address aboriginal issues, would also engage in this political mischief-making. I'm sure that the member opposite, the leader of the NDP, understands that this is an issue of some sensitivity, of a great deal of complexity, that he understands it is very important that we approach this with respect and goodwill, with patience and with perseverance, all of which we will continue to bring to the challenge before us.

**Mr. Hampton:** Premier, what I understand is that this issue didn't come out of nowhere suddenly. The issues at Caledonia have been serious issues for over a year, and your government did nothing but procrastinate. Then, when the issues became serious and there was a picket, a protest, your government claims to be negotiating, but lo and behold, then in go the Ontario Provincial Police and First Nations are left asking, "Were we negotiating or were we being forcibly removed?"

Then yesterday, when I would have hoped someone on the government side was paying attention to the



debate and the discussion, your own members couldn't decide whether to stand up and vote for or vote against, and ended up passing the resolution unanimously. I say, again, Premier, my question is this: Are you going to hold the public inquiry so that First Nations can begin to understand what your government is doing, or are you simply going to write off—

**The Speaker (Hon. Michael A. Brown):** Thank you. The question has been asked.

1510

**Hon. Mr. McGuinty:** If there is a single element in that diatribe which somehow might serve as a positive, constructive suggestion to help us better address the situation before us, then I guess I missed it.

What we will continue to do is, we will work with the federal government. We will work with the local community. We will work with the First Nations communities. We will do everything we can, bring everything possible to bear, to ensure that this results in a peaceful resolution.

#### INTERNATIONALLY TRAINED PROFESSIONALS

**Ms. Judy Marsales (Hamilton West):** My question today is for the Minister of Citizenship and Immigration. First, I want to thank Minister Colle for attending the annual conference of the Ontario Association of Certified Engineering Technicians and Technologists held this past weekend in Hamilton. Ontario is attracting exceptional people. Thousands of newcomers arrive in Ontario with global experience and skills and more than half of these newcomers have a university degree. The obvious concern is that many internationally trained professionals are faced with barriers that prevent them from practising in their field of choice.

Minister, last Saturday, the McGuinty government made an important announcement that will go a long way towards eliminating some of the financial barriers that internationally trained professionals face. How will this program help Ontario's newcomers?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I'd like to thank the member from Hamilton West for her question.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** What about her work in the riding? Why don't you throw that in too?

**Hon. Mr. Colle:** The Conservatives don't appreciate the hard work done by the technicians and technologists who represent 25,000 hard-working Ontarians. These are the men and women who help build our bridges and maintain our buildings. They are excellent professionals. They are opening doors to foreign-trained professionals. That's why I announced on Saturday in Hamilton help for foreign-trained individuals to become technologists and technicians. They're going to be eligible for a \$5,000 repayable loan to overcome those obstacles of paying for exams and fees and assessments, so that they can join the labour force. I was proud to make that \$5,000 announcement.

**Ms. Marsales:** Minister, as you are well aware, financial barriers are but one aspect in a list of obstacles that the internationally trained face. From 2003 until 2005, Hamilton welcomed 750 internationally trained professionals, many of whom will now be able to benefit under this loan program. I have consistently heard anecdotal stories of internationally trained professionals driving taxi or delivering pizza, because they are struggling to find Ontario work experience in their profession. What is our government doing to help these individuals?

**Hon. Mr. Colle:** Hamilton is a real hub that welcomes people from all over the world. Just to let you know that another concrete step we're taking in terms of ensuring that internationally trained individuals get a chance at working and learning in Ontario is that we're going to be the first provincial government—the first time in Ontario history—to establish a provincial internship program, so that foreign-trained individuals can get an internship position in the various ministries and agencies of the Ontario government for the first time, with Minister Phillips to open the doors for internationally trained internships.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Michael Prue (Beaches–East York):** My question is to the Premier. Today, Toronto Daily Bread Food Bank released its Who's Hungry report on poverty and hunger in the GTA. Given its findings that almost 340,000 children in the GTA yearly rely on food banks, an increase each and every year since you have been in government and in office, how do you justify breaking your promise to stop the clawback of the national child benefit supplement?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Community and Social Services.

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** First of all, let me thank the Daily Bread Food Bank for this report. I appreciate their hard work and commitment to helping families in need across Toronto.

**Interjection:** Good people there.

**Hon. Mrs. Meilleur:** Yes, there are very good people there. My ministry shares this commitment to helping families and children in need, and I will review the report in detail.

This government is serious about addressing the needs of Ontario's most vulnerable, and we are making a difference in the life of its lowest-paid and most vulnerable workers, including the children of Ontario. Let me tell the member of the third party what we have done since we took power. First of all, we have raised social assistance by 5%. When you have parents who are in need, you have children in need.

**Mr. Prue:** Madam Minister, your 5% has not even covered inflation in the three years you have been in



government, so they are actually worse off, and you admitted that in estimates. But your Premier told the kids that the clawback is wrong. Your Premier promised that you will end it. Your Premier has said that you should judge a government by how we treat our most vulnerable citizens. But despite those three promises, there are 340,000 children every year in the GTA who have to rely on food banks. And what they are seeing is that things aren't getting better, they're actually getting worse.

Start today. Daily Bread has given you a blueprint to help these hungry children. When will you stop the clawback of the national child benefit, like you promised? It is the single biggest impediment to their having enough food.

**Hon. Mrs. Meilleur:** I will continue to lecture my colleague on what we have done so far. We have permanently flowing through the 2004, 2005 and 2006 increases to the national child benefit supplement, we have added 14,000 child care spaces, and I can go on and on. But I wanted to tell this party that every time we've moved forward to improve the quality of life of children in Ontario, they've voted against it. I wanted to say that when we do all these things to improve the children's situation in Ontario, they should support what we are doing instead of voting against it.

We have also increased the supplement for working families, which helps children. We have invested in children's mental health programs. We have invested in child—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

## ONTARIO-QUEBEC AGREEMENTS ENTENTES ONTARIO-QUÉBEC

**Mr. Phil McNeely (Ottawa—Orléans):** This question is for the Minister of Intergovernmental Affairs. Ontario and Quebec are neighbours. We have tightly linked economies. Together, economic activity in Ontario and Quebec leads Canada's economy. Ontario also has Canada's largest francophone population outside of Quebec, including a vibrant community in my riding of Ottawa—Orléans.

For all of these reasons, I was very pleased to see Ontario and Quebec sign a series of co-operation agreements last Friday, June 2, at a ceremony in Ottawa. Minister, can you tell the House why and how we came to sign these agreements, and what these agreements mean for the people of Ontario?

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** I thank the member for the excellent question. Ontario and Quebec do have a long-standing and important relationship. These particular agreements flow from the commitment made by Premiers McGuinty and Charest at their meeting in Toronto on April 22, 2004. Following the Premier's commitment, ministries in both provinces have been working diligently for over two years to finalize agreements for co-operation in important

areas. We've had extremely valuable input from many MPPs, and particularly from our colleague Jean-Marc Lalonde.

As a result of the hard work put in by so many people on both sides, sector agreements were signed in the areas of francophone affairs, culture, natural resources, forest protection, tourism and the environment. The agreement includes a framework protocol which recognizes Ontario's and Quebec's historic relationship and provides a mechanism to guide the initiative.

Selon le protocole, les premiers ministres s'engagent à se rencontrer régulièrement pour évaluer le progrès réalisé, discuter des sujets d'intérêt commun et des opportunités pour—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

1520

**Mr. McNeely:** As Mr. Lalonde's riding is right next to my own, I'm certainly aware of his long-standing efforts on this file and share his sense of satisfaction and pride in the signing of these agreements by our government. At the announcement this past Friday, held at the Château Laurier in Ottawa, representatives from both provinces got together to celebrate the co-operation between the leaders of these two great provinces. There was an unmistakable feeling of solidarity between the Premiers, and it will certainly lead to further co-operation and nation-building in the future.

It was great to meet the Premier of Quebec; my neighbour MP Norm MacMillan from Ottawa—Orléans, just across the river; and the ministers from Quebec. It's wonderful to see Ontario working so closely with our provincial neighbour on so many files. But there are two areas that I'm particularly interested in. Can you tell me more about what we're doing in the areas of the francophone communities and labour mobility?

**L'hon. M<sup>me</sup> Bountrogianni:** Bonne question. Afin de renforcer l'engagement de ce gouvernement à appuyer la communauté francophone de l'Ontario, une entente sur les Affaires francophones a été négociée pour encourager une collaboration particulière aux enjeux francophones dans les domaines de la culture, de l'éducation, de la petite enfance et de la santé.

Ontario was also successful in working closely with our partners in Quebec in establishing an Ontario-Quebec labour mobility agreement. This agreement moves towards resolving the decades-old irritant of labour mobility in the construction industry. The labour mobility agreement was signed by the Ministers of Labour from both provinces at the signing ceremony on June 2.

With these agreements, we're making improvements in key areas that help us build a stronger economy, improve the delivery of services and ensure a higher quality of life for the people of both provinces.

## NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds—Grenville):** Une autre bonne question, this time for the Minister of



Community Safety. Yesterday, CHCH-TV reported that this past Sunday evening in Caledonia, two OPP officers were taken into custody by native protesters and charged with trespassing by Six Nations police after they drove onto occupied land. Apparently, during the confrontation, the police cruiser's window was smashed.

Minister, can you confirm that this incident occurred, and if it did, can you advise the House if the action taken by First Nations police was appropriate, and if the charges laid against the OPP officers will be pursued?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I can confirm that that event happened. But the situation is that the two OPP officers who had been assigned to the Caledonia area, who were not familiar with it, made a wrong turn. That was the extent of what happened. As a result of that, there was a reaction. That is something that is now being investigated, and I'm not in a position to comment on it, but I can tell you this: There was nothing untoward about it. It was a mistake they had made. They made a wrong turn and, because of the sensitivity and the tension in that area, it got out of hand within that very, very limited situation. That is now being investigated. That's a police matter and they will deal with it.

**Mr. Runciman:** Yes, it certainly is interesting that the Minister of Community Safety is talking about the police making a wrong turn.

After the arrest of the OPP officers, a spokesperson for the occupiers, a Ms. Jamieson, told the media that the action was taken against the OPP after they entered a "no-go zone." Those are her words, not mine. Minister, can you tell the Legislative Assembly if there is such a thing as a no-go zone for Ontario police in the province of Ontario, and if so, why it should exist?

**Hon. Mr. Kwinter:** I'm sure everybody in this House understands the situation in Caledonia. They understand that there is a very fragile relationship going on because of the negotiations that are happening. This was a situation that wasn't intentional. Two officers made a wrong turn. You may think that these people should be infallible and they shouldn't make a wrong turn, but they did. That is being investigated by the police and it will be dealt with in a proper way. To try to escalate this into something that isn't there is just irresponsible.

## FOREST INDUSTRY

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Premier. You would know that about a month ago you were very happy and excited over Stephen Harper's deal on softwood lumber. You will know that last week, the Ontario Forest Industries Association informed the International Trade Commission in Ottawa that as a result of the Harper-McGuinty softwood deal, there would be a 20% reduction in employment across this country, and that the Americans would be rearmed by the \$1 billion you left on the table in order for them to take action against us.

You praised this deal as being good for Ontario, so can you tell us how many more good forestry jobs will be lost in Ontario as a result of this very bad deal?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Natural Resources.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Yesterday, I met with Jim Lopez and John Valley of the Tembec corporation, as I do every week with the CEOs of the major corporations. We're all working together on basically putting the meat on the framework agreement that the two countries had agreed upon. We're making good progress, and in talking to those officials on a daily basis we think we're at a point where we can get the framework to be advantageous for Ontario, especially northern Ontario. Our companies feel we're making good progress and they should be able to prosper under this agreement.

**Mr. Bisson:** That's really interesting, considering that the Ontario Forest Industries Association that represents all of these employers has quite a different view. The workers have a different view. The mill managers have a different view. I'll just read but one quote that came from Jamie Lim, president of the Ontario Forest Industries Association, who says, "We expect to suffer—and suffer a lot—under the terms as now written." You've got continuing quotas, export taxes and \$1 billion in legal tariffs that were left on the table that we figure the Americans are going to use against us in further actions against our industry.

I say again, how can you stand in this House and defend this deal when you know very well it's going to lead to more job losses in Ontario, and what are you going to do to fix it?

**Hon. Mr. Ramsay:** The companies, while obviously not happy with having to leave part of their money, their duties, on deposit with the United States, are actually quite eager to get the 80% of it back to start to reinvest in their operations. They're looking at ramping up their operations.

As you know, Buchanan, which I meet with again tonight, is purchasing Neenah Paper. Therefore, they'll have a vertically integrated operation, a great market for their chips. That means they'll be able to sell more logs, more lumber to the United States and to other markets that we're helping them export to. So we're going to start to see a ramping up of this industry, and in fact, in general, with the announcements coming up in the next few weeks, we're going to start to see a major turnaround in forestry in Ontario.

## CONSUMER PROTECTION

**Mr. Tony Ruprecht (Davenport):** I have a question for the Minister of Government Services. I have received a number of phone calls from my constituents who have complained about the treatment they received from overly aggressive collection agencies. My constituents tell me that they know they have to pay, and in many



cases repay, what they owe, but they almost fear the constant phone calls and in some cases the use of threatening and indeed profane language. For instance, two weeks ago a 14-year-old child was called and asked, "Where is your mother?" He didn't know, and therefore he was called an SOB. The profane language used by these collection agencies obviously must stop.

Minister, given that most collection agencies do not engage in such egregious behaviour, what has this government done to protect Ontarians from these few bad apples?

**Hon. Gerry Phillips (Minister of Government Services):** I thank the member for Davenport for the question, and it's a good one. We get twice as many complaints in this area as anything else. The next one is home improvements; this one, twice as many.

We have the Collection Agencies Act that helps us to regulate this industry. I should inform the members, and the public particularly, that as of June 1, a few days ago, we brought in some additional regulations. Collection agencies are not allowed to phone you more than three times a week. The abusive language is completely unacceptable, is not permissible and will be investigated.

We brought in these new regulations this June 1 to strengthen our oversight of collection agencies. I think we've got a good balance now between giving the collection agencies the right to collect debts but making sure that it's done in a responsible manner that protects the individual. As I said, I think we have a good balance there now.

**Mr. Ruprecht:** Mr. Minister, I'm pleased to see that you have these new provisions in place, such as new standards and the prohibited practices you talked about. They will certainly alleviate many of the concerns my constituents have with certain collection agencies.

But I worry about two things: (1) that my constituents may not know whom to contact, for instance, when a collection agency is overly aggressive—are they going to call the Ontario consumer services bureau?—and (2) that the few bad apples in the collection agency industry will not adhere to these new standards and to these new, strengthened consumer protection provisions.

My question is the following: How can Ontarians be sure that these provisions will in fact be enforced?

1530

**Hon. Mr. Phillips:** Let me first say to the public and to your constituents that if you want to see the rules, get on our website and take a look at the new rules so that you know what you're dealing with: [www.mgs.gov.on.ca](http://www.mgs.gov.on.ca). If you've got a complaint, call 1-800-889-9768. Finally, I would say we do have this act. If people violate it, there are fines; there are penalties. I think last year we issued 53 warnings to them and we had seven convictions on collection agencies.

If your constituents want to know the rules, they should go to the website. If they want to complain, they should give us a call. This is an area where there are twice as many complaints as anywhere else. We have a responsibility to make sure that our companies are acting

fairly with our consumers, and I think these regulations provide that assurance.

## TOBACCO CONTROL

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Minister of Community Safety: Your government's Smoke-Free Ontario Act and the tax hikes have created close to 300 smoke shops on Six Nations and the New Credit reserve. The Tekka newspaper reports that smugglers and organized crime benefit from this. Just as you've left the OPP on the barricades in an untenable position, you've left the Six Nations police out on a limb. They could use some of that \$9 billion that your government and other governments collect in tobacco taxes across Canada.

Minister, I'm not asking you to stick your nose into operational matters. It's not your responsibility to direct police matters. However, given the current crisis in Caledonia, I would like to know what you have done since I raised these concerns with you a year ago.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I don't quite understand the purpose of the question, when you said right in it that I don't have any responsibility for that, and you're not asking me to stick my nose into it, and in the meantime you're asking me to stick my nose into it. If you would just clarify exactly what you want me to do, I'll be happy to respond.

**Mr. Barrett:** I'd be glad to clarify. We have reports of the presence of organized crime on Six Nations. It's in my hometown in Port Dover, Brantford and it's in this city. I'm afraid that Six Nations is being taken advantage of by various groups. This is reported by the Six Nations police. I quote the Tekka newspaper: "There is specific evidence of the presence of major motorcycle gang operations, Italian mafia, Russian mafia, Sri Lankan and Asian mafias, as well as Jamaican drug gang operatives working within the relative safety of native communities"; reports of Hells Angels.

Minister, you do not understand the scope of these issues that I raised a year ago. If you did understand, then please tell us what you've done to support the Six Nations. You accrue tax revenue. I requested this a year ago. I'm not asking you to direct the police. I'm offering you a chance to provide some support to the Six Nations community.

**Hon. Mr. Kwinter:** The support that we provide is with policing. We provide that so that they in fact deal with guns and gangs, they deal with illegal smuggling, they deal with all of the things that happen. That is what they're doing. You're asking me to do something about directing those police services to do something, and in the next sentence you say you're not asking me to do that. I'm suggesting to you that this is covered by normal police operations. They're certainly aware of that issue. This is something they deal with. Again, it is not my role to tell the police how to deal with that particular situation.



## FRENCH-LANGUAGE SERVICES

## SERVICES EN FRANÇAIS

**M. Gilles Bisson (Timmins–Baie James):** My question is to the minister responsible for the Alcohol and Gaming Commission of Ontario.

Monsieur le ministre, vous savez, j'imagine, qu'en Ontario on a la Loi 8, Loi sur les services en français, qui exige les services en français dans les régions désignées de la province. Comme vous le savez, c'est « mandatoire » pour le gouvernement provincial et ses agences de donner ces services en français où la Loi 8 est établie et où on a l'autorité.

Pensez-vous que c'est important que la commission des alcools de l'Ontario ait la responsabilité de s'assurer que ses employés soient capables de desservir la communauté francophone dans ces régions?

**Hon. Gerry Phillips (Minister of Government Services):** I think it's important for all of our organizations to ensure that our citizens in both languages have access to the services. I make the assumption that the Alcohol and Gaming Commission of Ontario is providing services in French where it's needed. If there are examples where it should be done and it's not being done, I'd be very happy to look at it to make sure that our citizens are getting the appropriate services in both languages.

**M. Bisson:** Je suis très, très content que vous avez répondu comme ça. Justement, le monde dans la communauté de Hearst, de Mattice, de Kapuskasing, de Smooth Rock Falls et de Moonbeam—dans toutes les communautés dans ce coin-là, où la majorité parle français comme leur langage quotidien—se fait servir par quelqu'un qui est unilingue anglais.

On vous demande, êtes-vous préparé à voir, à assurer, qu'on mette quelqu'un en place, sur le lieu, qui est capable de servir la communauté en français tel que la Loi 8 l'exige?

**Hon. Mr. Phillips:** I thought I understood the question to be that the Alcohol and Gaming Commission of Ontario was not dealing with their clients in French. If that was the question, I'll make certain that we have that capability.

If your supplementary, as I thought, was saying the clients in French—but if it was making sure the alcohol and gaming commission has the appropriate services in French, certainly I will do that. This is the first I've heard of it. I'm always happy to hear from the member. I don't mind doing it here, but sometimes we can get at these things quickly if you send me a little letter too. But I'm happy to deal with it here.

## JOB CREATION

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** My question is to the Minister of Training, Colleges and Universities. I have heard concerns from the people in my riding who want to go into apprenticeships and the skilled trades. Some have mentioned

that the information can be hard to find, and new Canadians have had problems integrating into the skilled trades in Ontario. I know you have heard the concerns of my constituents. This is evident from your recent announcement on Job Connect.

Minister, could you please tell the people in my riding what the McGuinty government has done to improve Job Connect services for Ontarians?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I was pleased to have been able to make the announcement just a few weeks ago, and that was only a few short weeks after I toured Glengarry–Prescott–Russell with my colleague. Specifically in his riding, we announced \$1 million to provide additional one-on-one training and support services for almost 1,000 francophones.

Remember that Job Connect provides training, support and academic enhancement services in the broader Ottawa region and Ottawa Valley region. The JHS Youth Employment Resource Centre is receiving more than \$1 million to help 1,500 people. La Cité, in Ottawa region itself, is receiving another \$1 million for over 1,600 francophone youth and adults. The Ottawa YMCA-YWCA is receiving more than \$1 million to assist 1,700 adults. St. Lawrence College, in the Ottawa area: \$1 million to assist 1,750; and the Youth Services Bureau is receiving \$1.5 million—

**The Speaker (Hon. Michael A. Brown):** Supplementary.

**Mr. Lalonde:** Minister, let me tell you that the people of Glengarry–Prescott–Russell were very, very pleased to have you visit the riding.

I know my constituents who are looking to enter the skilled trades will be happy to hear that announcement. When I talk to the people involved in the trades, I hear many good things from them about what our government is doing to enhance the profile of skilled trades in Ontario.

Minister, can you share for the benefit of all the members in the House all the things this government is doing to finally improve access to, and the profile of, our skilled trade workers?

**Hon. Mr. Bentley:** Just to recap, that was \$7 million, and over 9,000 people helped in his riding in the Ottawa region.

But to enhance the profile for young people in particular, we had the youth apprenticeship program, and an \$8-million program that we're working with the Minister of Education on to make sure that elementary and secondary school students have access to information about the trades.

1540

Now, what about the routes into the trades? We've got a couple of novel ones. The McGuinty government introduced the co-op diploma program, which is providing over 1,500 students with the opportunity to enter the trade and get a college diploma at the same time. We have a pre-apprenticeship program: 700 more people will



get the pre-apprenticeship opportunity this year at colleges throughout the province of Ontario. When they get there, we're enhancing the college's ability to give them a good background in the trades by the college equipment fund, which provides support for all of our colleges. And then, to make sure employers will sign trades up, we've got the apprenticeship training tax credit: \$5,000 a year for up to three years, \$15,000 to encourage them to sign up apprentices, because we know—

**The Speaker:** Thank you, Minister. New question.

### NATIVE LAND DISPUTE

**Mr. Tim Hudak (Erie–Lincoln):** A question to the Chair of Management Board: Could the Chair inform the House of the cost to the OPP and municipalities of the ongoing policing costs in Caledonia?

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I cannot tell the member what the costs are, but I will take his question as a matter under advisement and get back to him at the earliest possible moment, perhaps even when we meet again in estimates a little later on this afternoon. But I should say to my friend that right throughout the government, in every ministry, my job as Chair of Management Board, along with my cabinet colleagues, is to make sure that we are using every single taxpayer dollar in the most efficient and effective way possible. And so my friend, the minister responsible for the police force, the Minister of Community Safety, has to present a budget every year that shows us on this side that the taxpayers' dollars that we are receiving are being used very wisely. That applies to all of us over here. So I will get to him the answer that he wants—oh, my goodness; we were almost there, weren't we?

**Mr. Hudak:** I appreciate the minister's response to my question. I understand he's going to endeavour to report back on the ongoing cost to both the OPP and to municipalities for the policing costs in Caledonia.

The Chair of Management Board will know that in the motion passed by the assembly last night calling for the full public inquiry, the Legislature did call for the government to recognize and compensate the Ontario Provincial Police for their unforeseen costs incurred while policing Caledonia. The minister knows full well that municipalities also pay part of those costs. It would help municipalities if they will be compensated. So I'll ask the Chair of Management Board if he will follow through on that aspect of the motion to ensure that the OPP and municipalities are fully compensated for the police costs.

**Hon. Mr. Sorbara:** Among the things that I will take under advisement is his supplementary, and will get back to him, perhaps even by way of a written response, or perhaps as we spend the next few hours over the next couple of weeks in estimates. I appreciate his interest and will endeavour to satisfy his inquiry.

### PREMIER'S COMMENTS

**Mr. Robert W. Runciman (Leeds–Grenville):** On a point of order, Mr. Speaker: I'd like to refer you to section 23(g) of the standing orders. I believe that earlier today the Premier may have violated the sub judice convention and may have, inadvertently or otherwise, prejudiced the proceedings of the Ipperwash inquiry.

If you read the references in our standing order 23(g), it says, with respect to referring to "any matter that is the subject of a proceeding

"(i) that is pending in a court or before a judge for judicial determination, or

"(ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature,

"where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding."

There are also references in Marleau to the sub judice convention. I would refer you to page 535: "any undue influence prejudicing a judicial decision or a report of a tribunal of inquiry."

Mr. Speaker, I would respectfully ask you to review Hansard dealing with today's question period: the comments made by the Premier with respect to the previous government and learning our lessons, and references to ordering police to enter into a confrontation with occupiers. In my view, that clearly is going to colour any judgments reached by the Ipperwash inquiry, and the Premier should be sanctioned for making those comments.

**The Speaker (Hon. Michael A. Brown):** On the same point of order, the member for Niagara Centre.

**Mr. Peter Kormos (Niagara Centre):** Very briefly, New Democrats join with the House leader for the official opposition in this point of order. It's a matter of some great concern, and appreciating that the sub judice rule, the common-law rule, does not specifically apply to royal commissions because royal commissions are investigative bodies, not adjudicative bodies—in fact, Montpetit and Marleau refer to that very specifically in their section on sub judice, specifically page 536.

They go further, though, because they note that in the federal Parliament while the sub judice common-law rule, the unwritten rule, does not apply to royal commissions, "the Chair has cautioned against making reference to the proceedings, evidence, or findings of a royal commission before it has made its report." So on the basis of the sub judice rule alone, the common-law rule, the point of order, I think and I submit to you, is appropriate.

But then we go to the standing orders, and the standing orders are broader than the sub judice rule because the standing orders specifically state not just judicial proceedings, to which the sub judice rule applies, but also a proceeding "that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature."



That, I put to you, is a royal commission, and I say to you that while there is the necessity “where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding,” that can be implicit in the words.

We concur with the Conservative House leader that when the Premier refers to conclusively ordering the police to do X, Y or Z, which is one of the subject matters of the consideration of the royal commission, that *prima facie*, in and of itself, suggests that there is a predetermination by the Premier of the results and the appearance—whether it occurs or not is not the point; the appearance—of a direction by the Premier to what should be an independent tribunal, to whit that royal commission.

I submit to you that the Premier, in this instance, at least warrants the caution that the Chair made as referenced on page 536 of Montpetit and Marleau. Further, there should be consideration of the application of standing order 23(g)(ii).

**The Speaker:** On the same point of order, the Attorney General.

**Hon. Michael Bryant (Attorney General):** Firstly, I'd remind the Speaker that there was a question put. The question was with respect to a matter and to a fact situation that involves ongoing prosecutions before the courts. The question involved a matter involving an injunction order that is being supervised by Mr. Justice David Marshall. The question involved matters involving ongoing prosecutions on related matters. The question, in that sense, that was asked by the member who's bringing the standing order arguably is entirely out of order because it is with respect to matters that are before the courts, an express reading of the standing orders. It appears to have been—

*Interjection.*

**Hon. Mr. Bryant:** Speaker, I didn't heckle their point of order submissions. I'd rather have the opportunity to speak to it, but I'm in your hands.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I think the Speaker can rule. He doesn't need you—

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** Get in your seat.

**The Speaker:** I would remind the member for Renfrew—he's not in his seat, and heckling, of course, is always out of order. The Attorney General.

**Hon. Mr. Bryant:** I can assure the members opposite that, with a little bit of patience, I'll get to their point.

The point being that it apparently has been the practice of the Speaker for some time that, in fact, the nature of the questions, although they may in the case of the questioner in particular, who has discussed matters before the courts not only today in his question but on frequent occasions, and evidence of this I'll be happy to forward to the Speaker—we obviously didn't get notice of this point of order. I'd be happy to forward to the Speaker the numerous times in which the member who has brought the point of order has been a serial violator of the sub judice rule.

1550

In any event, besides the violation of the sub judice rule in his question, the issue before the Speaker is whether or not in question period it is out of order to raise matters that are before the courts. If that's the case, then the question itself ought to have been ruled out of order. The Speaker did not rule it so. The member asked the question in the way that he did, and whether he asked it in a way that violated the sub judice rule or not is something that, I take it, has been the practice and convention of the Speaker to be left to the member, to ask that question in that fashion or not.

Then we get to the question of whether or not the sub judice rule was violated with respect to the answer itself. Speaker, there is no question that any cursory look at the Hansard will show that a very careful consideration of the way in which members refer to matters with respect to a commission or a potential commission is very important. The question involved very specific fact situations by the member who not only made the question but made the point of order, and clearly he identified matters that are directly before the courts. If his argument would be correct, he would be in violation of the very rule he has raised.

Conversely, it is very clear from the answer the Premier made, if you look at the Hansard, that in fact there was absolutely no reference to any matter that is before the commissioner, as we speak, because of course there is a public inquiry into matters related to the death of Dudley George. The purpose of the sub judice rule, as the Speaker knows very well, is to ensure that this Legislature is not interfering with matters that ought to be the subject of independent judgment, that ought not be subject to political pressure. So it is in the name of decorum and it is in the name of the independence of the judiciary that there is not only that standing order but, as the House leader for the third party referred to, there is also a common-law rule of sub judice that applies.

Lastly, pursuant to the Members' Integrity Act, members are held to the same principles and standards to not violate the sub judice rule. That was not violated by the answer, I say to you, Mr. Speaker; that was violated by the question. If you can bring to this House, as a result of the member opposite's point of order, some clarity that would stop the serial violation of the sub judice rule by the official opposition—not by the third party, but by the official opposition—I think that would create a huge contribution not only to decorum but to the observation and in fact the pursuance of the standing order itself.

Speaker, I think there's no question that a close look at the Hansard revealed that the questions asked by the member that he's raising violate the particular standing order and that the answer did not.

**The Speaker:** Are there further submissions?

I wish to thank the member for Leeds–Grenville, the member for Niagara Centre and the Attorney General for their submissions on this matter. I will reserve my judgment.



## PETITIONS

### HERITAGE CONSERVATION

**Ms. Lisa MacLeod (Nepean–Carleton):** I'm very excited to finally have an opportunity to introduce this very important petition in my community. It is from the residents of Manotick and the city of Ottawa. On it I have signatures from the mayor of Ottawa himself, Bob Chiarelli; the MP for Nepean–Carleton, Pierre Poilievre; and Jeff Morris, the Barrhaven Independent/Manotick Messenger editor, as well as numerous city councillors supporting this motion. They call on the Parliament of Ontario:

"Whereas the Rideau Valley Conservation Authority, a provincial regulatory agency, is scheduled to move out of Dickinson Square, Manotick, in the summer of 2007; and

"Whereas the designated buildings of Dickinson Square are steeped in Canadian and Ontario history and are the city of Ottawa's only and one of the few remaining working industrial heritage sites in the province of Ontario; and

"Whereas these five buildings of Dickinson Square are now at risk to potential non-heritage use and development; and

"Whereas recent public consultation has resulted in overwhelming support to retain all five buildings in public ownership and management; and

"Whereas community agencies have formed a non-profit organization, Dickinson Square Management, to build upon the successful management of Watson's Mill and create a vibrant, public-owned arts and heritage cultural space within the square;

"That we, the residents of Manotick and surrounding areas in the city of Ottawa, call upon the government of Ontario to take a leadership role in working with the Rideau Valley Conservation Authority and the city of Ottawa in order to ensure the historic site of Dickinson Square remain under the auspices of public ownership and management."

I'm proud to affix my signature to this and am pleased to report that the Minister of Health Promotion and the Premier of Ontario are aware of this, and we're working with them to ensure this is successful. Thank you, and I present it to page Gregory.

### TRADE DEVELOPMENT

**Mr. Jeff Leal (Peterborough):** I have a petition today from hard-working men and women who are members of the CAW and involved in Ontario's auto industry.

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports

virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the" other country's "domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

I agree with this petition and will affix my signature to it.

### DRUG LEGISLATION

**Mr. Gerry Martiniuk (Cambridge):** I have a petition signed by hundreds of residents of Cambridge, where petitions have been provided to me by the Prescription Shoppe, the Cambridge Price Chopper pharmacy and the Zellers pharmacy.

"To the Parliament of Ontario

"Whereas the McGuinty government's Bill 102 introduces a significant degree of uncertainty for pharmacists and patients across Ontario; and

"Whereas the McGuinty government's Bill 102 could result in reduced services to patients resulting from fewer hours of pharmacy operations, fewer pharmacies stocking expensive drugs, unfair capping of claim maximums, elimination of rebates and the permanent closing of some pharmacies; and

"Whereas the changes to the dispensing fees do not accurately reflect the true costs of safely dispensing drugs; and

"Whereas there is no protection afforded by Bill 102 to prevent future increases in drug prices where pharmacies are limited to the acquisition cost;

"We, the undersigned, petition the Legislative Assembly ... as follows:

"That the McGuinty government withdraw or amend Bill 102 to ensure fairness to patients and pharmacies."

### CHILD CARE

**The Acting Speaker (Mr. Ted Arnott):** The member for Davenport.

*Applause.*

**Mr. Tony Ruprecht (Davenport):** Thank you very much. Wow. Even you.

This petition focuses on the child care agreement between the government of Canada and the government of Ontario and is addressed to the Parliament of Ontario. It reads as follows:

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early” child “learning and child care” programs;

“We, the undersigned, petition the” Parliament “of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it.”

Since I agree, I’m delighted to put my signature on this document.

**The Acting Speaker:** Pursuant to standing order 30(b), it being 4 p.m., I am now required to call orders of the day.

1600

## ORDERS OF THE DAY

STRONGER CITY OF TORONTO  
FOR A STRONGER ONTARIO ACT, 2006

LOI DE 2006 CRÉANT  
UN TORONTO PLUS FORT  
POUR UN ONTARIO PLUS FORT

Mr. Gerretsen moved third reading of the following bill:

Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d’intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d’intérêt privé se rapportant à la cité de Toronto.

**The Acting Speaker (Mr. Ted Arnott):** I recognize the Minister of Municipal Affairs and Housing for his leadoff remarks.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** It gives me great pleasure to commence the third reading of Bill 53, a bill that was first introduced into this House on December 14 of last year. Before starting off with my printed remarks, let me at the outset thank all of those individuals who have been intricately involved over the last two and a half years in helping give shape to this bill the way it sits currently. There have been literally dozens upon dozens of people who helped deal with the whole city of Toronto situation, its legislative history and the legislative proposals that are contained in this bill, from the people at city hall to the people within my own ministry, from all of those individuals who made presentations to the hearings that were held both by the city and by the government to the people who attended the joint hearings that were held on June 23—and I’m just getting a note here right now.

Yes, I will be sharing my time with my parliamentary assistant, the member from Scarborough Centre, who’s sitting right beside me here. He has been very intricately involved in this process as well. He has met with dozens upon dozens of people as well and certainly led the bill through the legislative process, through the committee process, and all the other aspects involved in it.

Once again, this bill simply could not be here today without the involvement of numerous people, both inside of governments, inside city hall and the many people who presented in one way or another; from the business community, the board of trade, the home builders, to other business organizations, to the various union representatives who appeared in front of us and to the literally hundreds of individuals, more from the Toronto area than elsewhere, who gave their comments on the bill and the processes that should be involved in the bill that deal with governance and with many of the other aspects of this bill. I just want to pay tribute to each and every one of them for their involvement, because without their involvement we simply could not be dealing with this bill, which I truly believe is an historic bill that will govern the city of Toronto and will determine how the city of Toronto, through its councils over the years and through its various operating departments, will be able to deal with the municipal issues that it will be asked to deal with over that period of time.

It’s a bill that, in the end, ended up being some 300 pages. In many cases it deals with over 300 different pieces of legislation that have been passed in years gone by to deal with the city of Toronto, and the new aspects that are contained in the bill, the new powers, the new authorities, the new levels of accountability that are required for the city of Toronto as we continue on in the 21st century.

So I’m very pleased to start the debate, and I hope we will have a good debate. I hope that, at the end of the day, parties on all sides of this House will recognize the fact that the bill we have before us may not be perfect in



everyone's eyes. There may be certain segments of the society and community out there that would have liked to have seen different aspects put into the bill that aren't there right now, but at the end of the day, I think we will all agree that the bill, in the way it's presented here, as amended, before the House, is a much, much better situation than the bills that currently govern the city of Toronto.

If we look at the bill from that aspect, I can only see one conclusion to this, and that's that at the end of the day, all parties on both sides of the House will be supporting this bill, because certainly there's no one out there who would like to see the current situation, as it relates to the city of Toronto, continue in the future.

Although this bill may not be totally perfect in everyone's eyes, this is not only an improvement, but as many people have said in the past, including Mayor Miller, this is truly an historic document and a historic moment for the city of Toronto. Our ultimate aim is to make the city of Toronto, the way it governs itself and the way it operates in the global economy, as sound and as fiscally responsible as possible, to give it the powers and the authority it needs to operate in the global economy.

The legislation will help the city of Toronto thrive in the global marketplace. It represents a major step forward for one of the world's great cities. I'm sure all of us in Ontario, whether we're from Toronto or elsewhere, agree with that.

Our government is working in partnership with all municipalities to ensure that local efficiency and accountability, local strength and prosperity will continue for not only all municipalities in Ontario, but certainly the city of Toronto.

As a former councillor and mayor of a city here in Ontario, I know how important is the role played by municipal governments in Ontario. I think we all know this. We all say that the municipal councillors and people whom we elect at the local level are the closest to the people and hear about the issues on a day-to-day basis. They are the closest to the people and probably affect people on a day-to-day basis more so than any other level of government. That's why it's so important that this bill, the way it sits here today, get passed unanimously by this House.

Michael Warren, an individual who has held senior positions in the public service of all three orders of government, said in an April 6 Toronto Star commentary, "It is our municipality that provides the majority of services that so directly affect the quality of our lives." That can be said for Toronto and indeed it can be said for every municipality in the province of Ontario.

Our government is working in partnership with municipalities—in this case, Toronto—so that we can better provide quality services in the communities and allow the local council to do so at the local level. We recognize that the city of Toronto is a mature order of government, which is empowered to provide good government through the services and good governance it provides

with respect to all the matters within its jurisdiction, and particularly those that affect people's quality of life.

Bill 53 will create a framework of broad powers for Toronto that balances the interests of the province and the city, and recognizes that to provide good government, Toronto must be able to do the following things:

- Determine what is in the public interest for the city;
- Be able to respond to the needs of the city;
- Determine the appropriate structure for governing Toronto;

—Ensure that the city is accountable to the public and that the process for making decisions is transparent and accountable;

—Determine the appropriate mechanisms for delivering municipal services in the city of Toronto;

—Also determine the appropriate levels of municipal spending and municipal taxation for the city;

—Use the fiscal tools to support the activities of the city.

The legislation, if passed, will allow the city to pass bylaws regarding matters ranging from public safety to the city's economic, social and environmental well-being. These future bylaws will also deal with the financial management of the city, and the accountability and transparency of its operations, which it absolutely requires.

#### 1610

These broad permissive powers will permit the city to promote and support things it wants to see happen, and regulate or prohibit those it does not. The new powers proposed in Bill 53 should be interpreted broadly. The city needs broad authority to enable it to govern its affairs as it considers appropriate, and we need to enhance the city's ability to respond to its own local municipal issues.

Currently, the city is limited in its powers to determine even the composition of its council and ward boundaries, restrictions we do not put on any other municipality in this province. Under the proposed legislation, Toronto will have the same powers as other municipalities to establish the council composition and ward boundaries. This will let the city be more responsive to changing demographics and its own governance needs.

Currently, Toronto city council is limited in the decision-making it can delegate to committees or boards. Under this bill, it will have greater ability to delegate powers and responsibilities to its committees and boards and to its senior staff personnel. It will give the city the flexibility it needs to better manage its deliberations and to streamline decision-making.

Let me give you an example. Right now, the province sets bar hours and regulates the hours that Toronto businesses can remain open on certain holidays. This bill gives Toronto the flexibility it needs to extend bar hours to meet local needs, and to regulate store closings to reflect the preferences of a diverse, multicultural society. If passed, Bill 53 will give the city broader powers to license and regulate businesses. It will provide the city with more flexibility to raise revenue, in addition to



property tax. If passed, it will provide broad permissive authority to impose new taxes, except in areas specifically prohibited such as income tax, wealth tax or the gas tax.

Bill 53 will provide increased flexibility for Toronto to establish municipal corporations.

We know that this dynamic city, this centre of Ontario's economic engine, stimulates economic growth across the GTA. This legislation will provide broad authority to undertake economic development opportunities so that Toronto, and indeed the region, can be more competitive and we can all be more prosperous. The city would have more power to control its own destiny with the passage and enactment of this bill. The proposed Stronger City of Toronto for a Stronger Ontario Act, 2006, is vital for the citizens of Toronto, and it has great significance for all Ontarians. We indeed are launching a new era in municipal government in this province.

A Toronto Star editorial on December 29 of last year said the following:

"After years of stagnation, inertia and neglect, a long-awaited thaw has come to Toronto. The city is undergoing a dramatic transformation, both in outward appearance and in ways that are harder to see, with the acquisition of new power, new responsibility and new respect.

"At long last, Toronto is moving forward."

Bill 53 will provide for a strengthened accountability framework for the city of Toronto. It will require, for example, that the city establish a lobbyist registry, integrity commissioner, ombudsman and auditor general. This improves accountability and transparency for everyone. I realize that some of these offices are already in existence, but this makes it a mandatory requirement for the city to continue with those offices so that there will be greater transparency and accountability in the system.

During our committee hearings, some witnesses articulated their views about how the city should be governed and its representatives held accountable. Others have commented on how business has been transacted at Toronto city hall. The Globe and Mail said in an editorial last November, and again I quote, "No one deserves a city council where members squabble over the installation of stop signs, horse-trade their approval for crucial development and hurl abusive epithets at one another.... Somehow Toronto, Canada's largest city and a pivotal engine for economic growth, is saddled with a second-rate government." With this bill, we are improving that situation.

In the report it submitted to the city in December 2005, the governing Toronto advisory panel set up by the mayor recommended that Toronto should have a new governance structure. It states, and again I quote, "City council should spend its time on what is truly important. At present, city council often spends more time debating items that affect only one or a handful of wards, or issues not nearly as significant as the files it will soon address." That's for allowing for the greater delegations to com-

mittees and boards to deal with that issue. For the future, the panel also recommended "a government that deliberates and acts strategically—at a city-wide level, with a long-term perspective and through a coordinated policy approach. We feel strongly that the mayor should be given the tools to provide strategic leadership for city council." That's what this bill does.

The city's expert panel has recommended the same approach that our government favours, and city council in all likelihood will soon be making a decision on changes to the city's governance system. We have in the act a proposed regulation that deals with the governance situation.

Staff from the city of Toronto and my ministry, as I stated before, worked together for more than a year developing recommendations for a new legislative framework for the city. Their joint task force serves as an excellent example of how staff from different levels of government can work together effectively. Public consultation was an important element of the work of the joint task force. The views and recommendations of stakeholders and the public at large were key in the development of the task force recommendations. Provincial and city officials worked side by side to organize unique, jointly conducted public consultation sessions, the first ever, I understand, of this nature and scope. Again, I would like to thank the task force members and all the others who worked on this important project for their commitment and hard work. I would also like to thank Mayor David Miller and Toronto city councillors for their ongoing contribution towards developing a new legislative framework for the city.

We all know that Toronto is the most culturally diverse city on this planet. Our government is making a significant contribution to its current cultural renaissance by providing \$49 million in capital support for major cultural agencies and organizations in this city. As was stated in the Toronto Star editorial of December 5, 2005, "Cities are this country's greatest economic and cultural asset. They are where most Canadians live, where most work and where most new immigrants settle."

Bill 53 supports our government's priorities of managing growth, reducing urban sprawl, promoting intensification and preserving green space in Toronto, across the GTA and indeed across Ontario. It is fully complemented by another proposed piece of legislation, and that's the Planning and Conservation Land Statute Law Amendment Act, 2006, Bill 51, which was given second reading some time ago.

**1620**

We are proposing to provide the city of Toronto with some additional planning tools to help address its particular needs. These are tools and methods that the city has requested and that recognize the unique challenges of the largest city in this province.

The reforms in the proposed legislation will encourage more innovation in community design to produce environmental and public benefits.



The city would be able provide financial incentives under the community improvement plan without having to ask the province for approval.

Zoning permissions, including conditions to better meet the needs of an intense urban environment, are allowed in the legislation.

We are also encouraging more innovation and sustainability in community design. As part of the site plan approval, the city will be able to require developers to provide landscape features adjacent to their development on the public roadway. The legislation would also produce environmental and public benefits, such as providing the city with the ability to require developers to build green roofs.

Toronto, as you well know, is already an environmental success story, and many experts will tell you that it already ranks amongst the greenest cities in the world. Our aim is to provide assistance for the further greening of Toronto.

Our government is also aligned with maintaining the unique heritage of Toronto and indeed all of Ontario's urban and rural centres as our province grows, develops and builds.

The Ontario Heritage Act lets municipalities list properties of cultural value or interest in their heritage registers even if they haven't been formally designated as historical structures.

If passed, this bill will amend this legislation to require an owner of a listed property to give the municipality at least 60 days' notice of the owner's intention to demolish or remove a building on the property. That would give Toronto and other municipalities the powers they need to protect their unique built heritage.

Through the standing committee process, certain amendments have been made to Bill 53, and I would like to relay them to the House. Indeed, we adopted certain amendments as proposed by the opposition.

The standing committee supported the motion that would amend the role of Toronto's head of council to include the duty to communicate and make recommendations to council respecting its role to ensure the following: The accountability and transparency of the city's operations, including the activities of senior management; and that the administrative and controllership policies, practices and procedures are in place to implement council's decisions.

The standing committee also supported the motion that the city may appoint a lobbyist registrar and may assign certain functions to that registrar. This amendment will give the city of Toronto enhanced powers with regard to accountability generally, and lobbying specifically, as was requested by the city.

The standing committee also supported the motion that would make new subsections 27(3), (4) and (5) and subsection 40.1(5) of the Ontario Heritage Act come into force upon royal assent rather than proclamation. This amendment, which gives municipalities greater ability to protect heritage properties, will make certain that these provisions come into effect immediately to ensure protection of the province's heritage stock.

When our government came to power, we set out to help Toronto prosper. Our government is on the side of Torontonians and Ontarians, and that's why we're taking steps to help the city succeed.

Let me just give you a couple of examples of how we've already invested to support public transit. As you know, \$670 million is slated for a subway line that will, for the first time, link the 416 and the 905 areas. A further \$200 million has gone to the city to support its current subway operations, and \$130.4 million in gas tax funds will also support the TTC operations as well as its need of capital expenditures.

In addition, we are investing hundreds of millions of dollars in health care, child care, infrastructure and educational initiatives that address the needs of Toronto. Indeed, our government is on the side of Torontonians. The Stronger City of Toronto for a Stronger Ontario Act will represent a major step forward to make the city more financially sustainable, autonomous and—equally important—accountable.

"Freed from its legislative shackles, Toronto is—at last—set to soar." Those were the comments in the Toronto Star editorial. "After more than 100 years spent under the sway of Queen's Park, Canada's largest city is breaking out as a major power in its own right. It is poised to receive historic new levels of autonomy, respect, responsibility and money...." That's what was stated in the Toronto Star. That's what this bill that's currently before the House for third reading is intended to do.

As I've said before, today is truly an historic moment: an opportunity to help one of the world's great cities better compete in the global marketplace. I ask all members to join me in voting for Bill 53 to help take the city of Toronto and indeed the province of Ontario to the next level.

I will now turn it over to my parliamentary assistant, the member from Scarborough Centre.

**Mr. Brad Duguid (Scarborough Centre):** I am absolutely honoured to be able to rise in my seat today and talk about a bill that is an historic bill for the community that I was born and raised in and have the privilege of representing. It's an historic piece of legislation whose credit should go to a number of people. I'm going to acknowledge the efforts of some people. Quite often caucuses don't get acknowledged all that much in government—the regular members, whether they be in cabinet or whether they be on the backbench—for their efforts. In this case, the Toronto caucus—all the members from Toronto—played a very, very important role in the development of this historic piece of legislation. Here today we have my colleague and fellow parliamentary assistant for Municipal Affairs and Housing Mario Sergio from York West, and we have Mary Anne Chambers, the member from Scarborough East, with us today. Two colleagues are here in the Legislature with me today who know very well the importance of this bill because they served on Toronto council and the previous Scarborough council for a number of years: my colleague Lorenzo



Berardinetti from Scarborough Southwest and my colleague Bas Balkissoon from Scarborough—Rouge River.

These members, like myself, have lived and breathed municipal politics for a very, very long time. They lived through the period of time when things weren't so good in the relationship between Queen's Park and city hall. In fact, using the words "weren't so good" is probably an understatement. They were dark times for Toronto, a time when the province of Ontario showed very little will or respect: will to assist the city of Toronto through some very difficult times, and respect for their efforts to try to work their way through some very difficult times. They were dark days indeed.

I think it's important to go back and take a look at those times so that we can compare what we have today to what we had back then. It's important for us in this Legislature to know that, and it's important for the people of this province and the people of Toronto to reflect on that from time to time.

We experienced, when many of us—my colleagues Lorenzo Berardinetti, Bas Balkissoon and myself—went to serve on Toronto council, a forced, unwanted and poorly planned amalgamation that came as a part of the Harris-Eves regime and cost our city hundreds of millions of dollars in transition costs. Many communities would say that the quality of services has still not been returned to the level that they once had before that amalgamation. We experienced an abandonment of assistance to help run public transit, an essential service for the future of our city, and an unprecedented amount of downloading costs to Toronto, from public housing to social assistance to public health.

**1630**

Assistance was given to the rest of the province to adjust to the downloading, with very little help going to the city of Toronto. This relationship involved constant threats of upheaval. Every time the city of Toronto objected to something that the province of the day—the Harris-Eves Tory government—was doing, every time there was a serious objection, instead of offers to assist we would get back in return threats that they were going to cut down the number of councillors—a completely different time, a time that's hard to imagine today. I think the people of Toronto would have great difficulty trying to picture it, given the change in relationships that has taken place.

We've come a very, very long way, and this is personal to me because I've had to experience that. One of the reasons I'm here, one of the reasons I decided to run provincially and represent the area of Scarborough Centre, was to try to change that dynamic, try to change that relationship between Queen's Park and Toronto. Let's look at the progress that's been made in two and a half years.

A new relationship has now been developed based on trust and respect.

A commitment to consult with the city and involve the city in discussions with the federal government has taken place, which gives the city a greater confidence that the

province is there to work with them as we develop a relationship as well with the federal government, trying to develop a productive relationship with the federal government, with all three levels of government working together.

A constructive relationship exists between our Premier and the current mayor of Toronto, a relationship that I think is working very well for the people of our city.

A dramatic increase in financial assistance to Toronto has occurred—and it is dramatic. Public transit funding is at a level now that the city has never seen when it comes to investments from other levels of government. That's all part of what the McGuinty government has brought to the table. We're talking billions of dollars when you combine operating costs and capital costs, very much needed money, and ongoing dollars that are flowing into the city through the gas tax. The minister previously outlined some of the details of that.

We're talking about an uploading of public health costs.

We're talking about an uploading of land ambulance costs. In the city of Toronto alone, we have provided about an additional \$10.4 million flowing to the city.

We're talking about a province that's now back in the housing business, that really assists the city in trying to build housing across our city.

And we're talking about a province that's investing big time in city infrastructure. Whether it's hospitals, whether it's schools, whether it's our museums, whether it's the waterfront, whether it's universities—an unprecedented amount of infrastructure investment is going into our city.

What we're debating today is an historic piece of legislation, the Stronger City of Toronto for a Stronger Ontario Act, that rewrites the relationship between Queen's Park and Toronto. It recognizes the city as a responsible, mature and accountable government; it provides the city of Toronto with broad permissive powers and increased accountability; it enhances governance and delegation powers; it provides greater flexibility in land use planning and access to alternative sources of revenue—all areas that the minister covered when he was speaking.

In the short time I have left, I want to thank the minister. Here's a gentleman who hails from Kingston. He has the benefit of being a former mayor, so he has a great deal of experience in municipal politics. But this gentleman understood in a very short period of time the needs of the city of Toronto, and his leadership in this has been invaluable in getting us to this point.

I want as well to acknowledge the Premier for the courage he has had to move forward with this bill. I think Mayor David Miller said it best when he said, "Premier McGuinty gets it when it comes to the needs of Toronto." He certainly does. This historic legislation before us shows a great deal of courage, a great deal of respect and a great deal of confidence in the people of Toronto. To me, that confidence, that respect, is a terrific sign of leadership on behalf of our Premier. The historic piece of



legislation before us today, this changing relationship that we've had between Toronto and Queen's Park, could not have taken place without that leadership. I want to thank the Premier for that as well.

I want to thank the two critics who have been involved in this bill. Peter Tabuns, from Toronto-Danforth, made a number of very important interventions at committee, and Ernie Hardeman, the critic for the Conservative Party, has done an excellent job in putting forward his party's policies, and I thank him for the time he spent on this bill at committee. He's another gentleman who doesn't hail from Toronto, but I think he understands in some ways the needs of the city of Toronto—perhaps not all, but in some ways. So I thank him for the time he's put into this.

I'm running out of time, so I want to say that I've been proud as a member to be able to participate in this process from beginning to end. I'm proud to stand before you today with a bill that will indeed change the relationship between Queen's Park and Toronto. The minister referred to it as an unravelling—I guess “unshackling” is a better word—of the city of Toronto so that the city will now have the autonomy it needs, the flexibility it needs and the power it needs to compete with other cities of its size internationally and to achieve the greatness that we all know the city of Toronto is capable of achieving.

I thank all involved in the production and creation of this bill in the consultations that led up to what we have before us today. I encourage as well all parties on all sides of the House to support what is a very important piece of legislation for the future of the city of Toronto.

**The Acting Speaker:** Questions and comments?

**Mr. Ernie Hardeman (Oxford):** I have just a few moments to respond to the comments made. I stand here and wish that I could agree with them that it was in fact all the positive things that are being mentioned. And there are a lot of positives in it, but there are also a lot of things, in my opinion and in the opinion of many people who presented at committee, that are not going to accomplish the goal that's being set out by the government here.

Just in this quick response, I want to point out a column written in the Toronto Sun on Tuesday, May 23. It concerns Bill 53, and it goes to what the minister and the parliamentary assistant spoke to:

“If you ask me, all this talk from Mayor David Miller and Premier Dalton McGuinty about giving Toronto newfound ‘respect’ is such a bunch of malarkey.

“If only these two bosom buddies would respect the intelligence of Toronto voters and call the ill-conceived City of Toronto Act (Bill 53) what it truly is—an act of political expedience. I can't wait for McGuinty—who faces a re-election bid next year—to boast how he gave Toronto the ‘broad permissive powers’ of a ‘mature responsible’ government.

“True, the act will give the city the ability to regulate its own bar hours, to set up a lobbyist registry and (heaven help us) approve its own speed humps. But that masks its real intent.

“Under Bill 53, city hall will be handed a dangerous amount of power to impose new bylaws, licences, fees, levies and tolls (any excuse, that is, to raise new taxes).”

I think that really points out the concern of the citizens of Toronto, not of the city council. All the consultation that we heard, both from the minister and from the parliamentary assistant, was about how they've had consultations with the mayor and have got along very well. But we've had very little consultation with the people of Toronto to see whether they believe that the powers city council is receiving are the right powers.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** In these brief two minutes, I also wanted to congratulate the minister, Mr. Gerretsen, and the parliamentary assistant, Brad Duguid, for the work they've done, as well as the Premier's office and the Premier himself for working together with Mayor David Miller and the city of Toronto council and the people of Toronto in getting this right.

I was present back in, I think it was, November or December of last year, late last year, when we had a presentation at a location in Toronto regarding the introduction of Bill 53. At that time, you could almost see the joy in David Miller's face and the joy of the councillors who were present at that event, as well as members of the local media in Toronto. This bill is good. It's not good just for Toronto, but it's good for all of Ontario. I don't care what people say when they turn around and say, “Why focus on Toronto?” A healthy Toronto is a healthy Ontario and a healthy Canada. Look at any country in the world. A healthy London is a healthy England. A healthy Paris is a healthy France. A healthy Rome is a healthy Italy. The list goes on and on. A healthy New York City is a healthy United States. I can't imagine any of these major cities in any part of the world being in a state where their powers are curtailed to such an extent that they can't even pass bylaws and have to go through a higher level of government. All these cities in all these countries are successful in many ways because they have some autonomy.

This bill allows that autonomy, finally. The acrimony is gone. The days of fighting and dislike are gone. The days when Mel Lastman would scream at Mike Harris or Ernie Eves and they would scream back, are gone. The comments being made and the name-calling are gone. I remember that someone was called a “monkey grinder”; I don't know who, but someone was called a “monkey grinder.”

Those days are gone. Instead, we have pleasant conversations, we have intelligent discussions, and we've reached a common goal here: Bill 53. It's here for third reading. I support it, and I hope it passes and goes through and becomes law as soon as possible.

**1640**

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to add some comments on the speech from the minister and the member from Scarborough Centre on Bill 53, An Act to revise the City of Toronto Acts, 1997. I note that the member from Scarborough Centre very correctly pointed out the hard work being done by the



member from Oxford, who has probably put more committee time in than just about any other member of the PC Party. As the whip, I want to say that I absolutely appreciate all the hard work the member from Oxford has been putting in on many different committees. He has been doing an excellent job. So if they're not seeing him back in the riding—hopefully, they are seeing him. I'm sure he's fulfilling his riding duties as well as putting in all kinds of time on committee.

This bill is going to give the city of Toronto new taxation powers. In particular, there's one tax which I don't think the tourism industry is too happy about. That's the new booze tax. In total, the city is going to have about \$50 million in new taxation powers, but this is not going to solve the city of Toronto's financial problems. From what I understand, they have about a \$300-million gap in terms of their budget, but this will generate about \$50 million.

At a time when tourism is really being challenged, I think bringing in new taxes on booze is not the right strategy. We've seen the Canadian dollar appreciating at a very high rate, with more and more regulations coming forward affecting the tourism sector. We've seen a \$100-million cutback in the spending by the Ministry of Tourism in this year's budget. All these things affect tourism negatively, so this is not the time to add another tax.

I would also like to point out that there are many smaller municipalities that also need government spending, like the municipality of Burk's Falls, which desperately needs their COMRIF, the third round, approved for their new water system, and they need some support for things like their new arena roof, and a plant for the arena as well.

**The Acting Speaker:** Now we have the member for Timmins—James Bay.

**Mr. Gilles Bisson (Timmins—James Bay):** Mr. Speaker, I can count. I know when my spot would come up the second time.

I just want to say a couple of things. Obviously, there are a number of people in our caucus who support the general direction of this legislation, but I want to speak a little bit from the perspective of somebody who doesn't live in Toronto and what it means to us in a place like Timmins, Hearst, Moosonee or wherever it might be. Part of the problem I have—I understand that Toronto is important in the grand scheme of things and that we need to do something to respond to the city of Toronto. This is not meant to bash Toronto, because it is an important part of our makeup as a province and of Ontario's economy. This government tends to focus a lot of attention and energy towards trying to work with some of the issues of our larger urban centres, and rightfully so. The city of Toronto has a number of issues that they've got to deal with, and this bill is going to help them meet part of those problems they have.

However, communities like Moosonee, Hearst, Smooth Rock Falls or Timmins have a totally different set of realities. I say to the minister, for example, that the

town of Moosonee has one paved road in the whole community. The community is chock full of dust all summer long when we have hot weather. There are water lines that have to be rebuilt; some of that has been done. The local services board in Moose Factory, the Mocreebec people—their water line is in such a bad state of repair that they've got to shut the water system down after 2 o'clock in the morning until the next day to be able to recharge the system. What happens if you have a fire in the middle of the night and you can't find the water plant operator, or whatever? We're asking for trouble.

I'm just saying a little bit in follow-up to what Mr. Miller was saying, that we need to focus on smaller urban centres just as much and, I would argue, probably more, because the city of Toronto has the means to deal with many of its problems. But the local services board in a town like Moose Factory, Moosonee or Hearst or wherever it might be has a limited assessment base and needs the province to play a much larger role. That's the part of this that I think is really missing.

**The Acting Speaker:** That concludes the time for questions and comments. The Minister of Municipal Affairs and Housing has two minutes to reply.

**Hon. Mr. Gerretsen:** There's no question about it: The smaller municipalities need assistance and help as well. That's why we've always said to AMO, the Association of Municipalities of Ontario, that once we've dealt with the city of Toronto, we will take the same kind of approach to the Municipal Act. I would just ask the members to stay tuned, because we will be dealing with that in very short order as well.

For the member for Oxford to somehow suggest that empowering municipalities, or in this case the city of Toronto, for the first time in the 150 years that local councils have been elected on exactly the same basis that we're duly elected, will somehow abuse that power and just come up with all sorts of taxes for all sorts of things is absolute nonsense. Those individuals are responsible, and if they abuse that responsibility and do not do the right thing as far as their electorate is concerned by implementing various areas that they want to go into, then obviously they're going to be held accountable during an election as well.

What the Tories are really saying is that we like the traditional way the municipalities, the province and the city of Toronto have always related to one another. What we're saying on this side of the House is that particularly in the case of a city like Toronto, if we want it to be a world-class city, it has to have a certain autonomy, it has to have certain powers and, yes, a greater sense of accountability as well in order for it to accomplish the grandeur that is possible for a world-class city like Toronto. That's what we're about. Anything less than that, if we somehow think that councillors are going to abuse that privilege, means that they really do not have faith in the electoral system and that the same thing could be said for us as well.

**The Acting Speaker:** Further debate?



**Mr. Hardeman:** It's a privilege to be able to rise today and speak to Bill 53. I do want to, first of all, correct the minister. He inferred in his reply that I was saying certain things. What I read in my two-minute response to the presentation was an article directly out of the Toronto Sun by the local political reporter in the city of Toronto, who was suggesting that this bill was not going in the right direction. Far be it from me to suggest that the reporter who sits through the individual meetings and knows what's going on there does not know what she's talking about. But that's the minister's prerogative.

I just wanted to say that in dealing with this, I had real concerns about getting to third reading, having gone all the way through the process. In fact, their minds were made up, because of course this bill was created under the direction of the Premier of the province and the Minister of Municipal Affairs. Generally, in the past it's been noted that once it gets back for third reading, it will pass the way it's presented.

But with the events of yesterday, I realized that as long as the members of the government are not being watched individually, they don't necessarily agree with what the Premier is proposing to do. In fact, what they didn't vote negative on yesterday was quite derogatory to the Premier and how he's been handling the situation in Caledonia. I was hoping that if we could arrange the vote in the appropriate manner, Mr. Speaker, we could have third reading on Bill 53 in such a way that all members of the government side could ask the Premier and the minister to look at some of the areas in the bill that do not meet the needs of the city of Toronto, and maybe they could be changed before we get to final reading of the bill. We'll kind of leave that with the parliamentary assistant. Maybe he could arrange that for us.

The second thing I want to quickly remind everyone of is that we've heard a number of times that it is a precursor to the new Municipal Act, that all municipalities will eventually get a type of legislation in the new Municipal Act that is similar to what we presently have in the City of Toronto Act.

The question, of course, is that if we're going to have the same legislation for all municipalities, one has to ask why we're going through this process for one municipality and then copying that process for all the others, when we could have done all this and covered the whole gamut?

1650

The answer, of course, is that there must be some intention behind that. You can get it from the introduction of the bill. They say, "We think the city of Toronto is a mature and responsible level of government, so they need this type of legislation to allow them to do the things that are in the bill." I suppose I'm supposed to take it from that that the government believes all the others are not mature levels of government and can't be trusted with these challenges. They want to make sure we give it to what is, in their opinion, the mature level of government and let them try it for a while and see if they can be held accountable. If they can be held accountable, I'm

sure we can give it a try on the next size. Maybe the next bill will be for the next-size municipality. Of course, we all know that Toronto is the largest in Ontario. Hopefully, the next one will go down a rung. For the 426 municipalities presently in Ontario—I think that's the number; I stand to be corrected—I suppose we could have another 425 pieces of legislation to deal with each municipality.

It sounds maybe far-fetched, but one of the presenters at our committee said that in fact 82% of the City of Toronto Act is directly copied from the Municipal Act. We're only looking at 18% that we need to change for the individual municipality, so we could have one for each one and then go on from there. But I'm not suggesting we do that. I am suggesting we recognize the shortcomings in this bill and hopefully address those before it gets royal assent. We'll get to some parts of that and I want to spend a little time talking about what we, as the Conservative caucus, thought needed to be changed in the bill after the committee hearings. We'll go through some of those amendments. Of course, those amendments did not become part of the bill, so the problems will exist.

I also want to tell you, Mr. Speaker, that I propose to share my time with the member from Nepean—Carleton, who also spent a lot of time in committee to help us with this. Because of her knowledge, being from the great city of Ottawa, and having similar concerns there—that would be another area in the province that would not take kindly to the comment that only Toronto is a mature and accountable level of government.

With that, the other thing I want to quickly mention—we've heard it a number of times, as I said—was about this being the precursor to the Municipal Act. The Canadian Federation of Independent Business did a survey of the heads of council of the other municipalities, and 72% of them said they did not want the extra taxing powers in Bill 53 because they felt it was much more appropriate to have another look at the level of service provided and how it's provided. We've heard a lot of discussion about the realignment of services under the former government. I think it's fair to say that most municipalities believe we should revisit that to see whether the ambulance service should be 50-50 between the municipality and the provincial government or whether it should be all provincial government, as part of the health care system. It's a question worth posing and a lot of municipalities would come down on the side that it should be part of the health care system. If we realigned the services properly and looked at how all the services in the province are provided, it may very well be that municipalities do not need the extra taxing powers in Bill 53.

The people I talked to at home are all of the opinion that it's important to look to make sure that the services being provided by the property tax are also services supporting the property tax base. We need to look at things such as the social services envelope, which should maybe be looked at to better define what is a service to the property tax base and to the community, and what is a people service that should be on the income tax base or



the tax base the province has. If we looked at that, not only in the rest of the province but in the city of Toronto, we would also come to the conclusion that maybe this, as I read from the article in the *Toronto Sun*, isn't the answer to Toronto's problem, as mentioned by my colleague. Even by Liberal estimates, the taxing authority in this bill will raise somewhere in the neighbourhood of \$30 million to \$50 million a year when in fact their budget shortfall is \$300 million a year, so this isn't going to solve the problem. We have to do that other step as to who is delivering what services, and I believe that then we could also deal with the taxing authority.

I just want to quickly read a statement that was made by the Minister of Municipal Affairs at the introduction of second reading of the bill. "Let me start by saying what the goals of this act were supposed to be, according to the minister." Those are not his comments; those are mine. "They were to give the city broad permissive powers commensurate with its size, responsibility and significance to the province; second, to recognize that in order for the city to provide good government, the city must be appropriately empowered; and third was to foster a strong consultative relationship with the city that respects and advances the interests of both governments"—noble goals for sure.

But since the time this bill was introduced for second reading, when we did clause-by-clause, there were 125 amendments—I have them here somewhere. I find it hard to believe that after all the consultation we were told was taking place, they would still need more than 100 amendments—there's 125. I don't want to give the government credit for them all, because I think we did have six amendments, but over 100 amendments proposed by the government were needed to change the bill so it would work in the best interests of the city.

Again, if 72% of the rest of the province does not want those provisions and we are basing our thoughts on extending this—having an act for the city of Toronto that will be copied in the rest of the province—then I think we really need to look at whether we should or shouldn't put it into the city of Toronto.

Again, I want to emphasize that the Conservative Party and John Tory are not opposed to an act for the city of Toronto. We believe there is a need for governing and changing the way the city of Toronto presently operates. We are not sure that an independent act is the right way. It may have been to change the *Municipal Act*. Having said that, we're not opposed to the act; we just think there are certain parts of this act that are going to cause problems and make it very difficult.

If I could, in the time I have, I'd just like to go through some of the amendments we wanted to put in the bill to make it work better.

Subsection (3.1):

"Public hearings re taxes, fees and charges

"(3.1) The city shall not pass a bylaw to establish or increase a tax, fee or charge under this or any other act unless the city gives notice to the public of the proposed bylaw and holds public hearings in respect of it."

Again, I think it's so important, when we have taxing authority, that we also make sure the public is protected. As I said earlier in my comments, it's quite evident from this act that we've had a lot of discussions with the policy-makers of the city, but we haven't had much discussion with the public in the city or the other stakeholders. When we had the public hearings, it was very evident that all the stakeholders that were coming in—when you talk about new fees and taxes, they want the criteria that are presently in the *Municipal Act* to also apply to the city of Toronto, and that's a very simple thing: They must hold public hearings before they set new levies and fees. I think that's not an unreasonable request to include in the act to protect the people from waking up one morning and all of a sudden finding a fee that wasn't there yesterday and they had no idea it was coming, they had no opportunity to speak to it, they had no opportunity to even adjust their budget to accommodate it. But as I said—and I think this is the other theme in the act that is a bit of a challenge—the government has, in almost every case, included the section where the minister can, by regulation, override the city's decision if the minister does not agree with it. Again, the answer to this: "We don't need to hold public meetings." Because if they put these fees in place and all of a sudden city of Toronto residents get really concerned and they write the minister, the minister can then, by regulation, say, "No, that's one I don't think the city should be able to do," and they could then reverse that decision. That's not exactly the approach you would take with an equal partner or a consultative process, which we all thought—or at least we were told—this bill was going to provide. So I thought that amendment would serve the city of Toronto well, both the administration and the people, to notify people when these things were going to take place.

1700

Now, if you look at the present *Municipal Act*, it's possible to do that with the budget process. They can decide at budget time they know where they're going to need money and how much they're going to need, and if they're going to add a new fee, they can put that in the budget process, so that when they hold a public meeting on the budget, they've also held a public meeting on that new fee. It wasn't necessarily an added burden, but it was just a protection for the public to make sure that they would know when this was going to happen. But as I said, that was not to be. The committee voted that down.

The second amendment we put forward was restriction on licensing power. We heard from a lot of presenters at the committee that there was an overlap and a duplication in a lot of areas where the province already licensed certain activities and there was nothing to prohibit the city from licensing over top of the present licensing regime, such as the homebuilders. Could the city wake up tomorrow morning and put a licensing fee on everyone who wants to build homes in the city of Toronto, different from being licensed anywhere else?

A number of other ones: The real estate people were very concerned about their self-regulating organization.



They license themselves and they all pay fees into their organization. Could the city wake up and have a licence for those? They thought that was a great concern. We were suggesting, "Despite any other provision of this act, the city is not authorized to provide for a system of licences with respect to a business or activity if a licence is required under another act to engage in this business or activity." Just very clearly, there's no double-dipping, there's no double licensing for existing businesses. I think that's a reasonable approach to it, not to pick on individuals but to say we shouldn't have two different governments licensing the same activity in the same municipality. If the province deems it appropriate to give the city that power to license that business, then the province should get out of licensing that same business. I think that was quite a reasonable amendment, but it was not to be.

Now, the presenters were quite interesting on that licensing. I just have a couple here I wanted to refer to. The Canadian Federation of Independent Business comments: "We think this is bad legislation. We don't think it will do any of the things it was promised to do. All the mentions of autonomy and accountability won't be served. If the powers are used to tax, regulate, fee charge, levy and license businesses, it will worsen an already difficult situation with the property tax load as it is. It would be a dreadful example for any other municipality to copy." Again, this was this overtaxation, this was this ability to license and to charge fees in the areas that were already being charged. They were very concerned.

The Toronto Cab Association—I guess we're going across the board and all the different people who have concerns with the bill. As I said, these weren't the people that the government talked to. They talked to city council. The committee hearings heard from a cross-section of the population. This is from the Toronto Taxicab Brokerage Association: "Our primary concern, and the reason we are here today, is that Bill 53 has omitted those requirements for the city of Toronto. Our understanding of the bill, if it is passed as written, is that the city of Toronto council will have no restrictions on it as it considers and passes licensing bylaws. As we understand it, other Ontario municipalities will still have to meet those thresholds.

"We wish to emphasize that our concern stems from the lack of restrictions on licensing bylaws only, not on all bylaws. We understand that the intent of the bill is to empower the city of Toronto in a number of areas. We do not take issue with the general intent of the bill. We are here as an industry organization that relies on municipal licensing in order to stay in business. Our fear—and I use that word intentionally—is that the city may take this new licensing authority and use it improperly."

When you read the rest of their presentation—I know that one doesn't sound very explanatory and say why that was a concern to them. It doesn't really mention their concern, except the licensing power. The reason they mention that is that in the present Municipal Act, the right to license taxis has a connection to the amount of

money raised by those licensing fees. The new City of Toronto Act has no such stipulation. The taxicab organization realized that without some kind of protection in there, the city could decide to fund other services through extra licensing of taxicabs. They think that's a great concern; it would be very negative to their industry. I agree with them.

The next part is not to do with taxation; it has to do with the city powers to restructure local government. We've heard a lot over the last number of years about restructuring local government. The minister mentioned today in his remarks that the city doesn't have the power presently in the City of Toronto Act to restructure their ward boundaries or restructure their council composition. It has to be done through the legislative process. This act will change that.

But this act does more than that. It deals not so much with that they have the power—it gives them the same power as the other municipalities have in the present Municipal Act—but this one, in section 151(1) says, "The Lieutenant Governor in Council may make regulations," and the regulations they may make in this section go from (a) to (j). One would say, "Why would you need so many regulations? If there's a problem with city council having a structuring problem, why do we need to have that many regulatory powers to deal with the makeup of city council?" I know that at committee I brought the issue up: Why does it not just say that the city can be overridden in all their decisions as it relates to local governance by regulation, by the Lieutenant Governor in council? Of course that's the minister, through cabinet, making the regulation. I didn't get an answer to it.

When you read through it, it's somewhat amazing if you take that back to the purpose of this, which is to give autonomy to the city of Toronto to be able to make their decisions in the best interests of their citizens and to be totally accountable to their citizens at the polls—every four years now; we found that in the back of one of the bills the government passed recently.

I want to go through quickly in the little time I have. Incidentally, I want to say that a lot of people who presented wanted the reorganization of city council to be done prior to the implementation of this act because they said this act will not work properly under the present structure. Be that as it may, the government did not agree to do that.

When you look here, if the government doesn't agree with how city council is doing it, they can do these things by regulation over and above any decision the city has made:

"(a) requiring the City to establish an executive committee from among the members of council and prescribing the composition, powers and duties of the committee including, for example, requiring the committee to provide strategic directions for the city."

Not only can it appoint certain members of council to an executive committee and then tell them what it is they have to prepare for the city—this is not a decision the



city is making; this is a decision that, by regulation, the minister can make.

1710

“(b) requiring the head of council to appoint the chairs and vice-chairs of specified committees of council and specified local boards.”

Now the minister can have the mayor appoint certain people to head certain committees. Incidentally, under the present Municipal Act or under the City of Toronto Act, there is nothing that even says the city must appoint committees, but we have the power of the minister to appoint the city council committees.

“(c) requiring the head of council to appoint one or more deputy heads of council from among the members of council and prescribing the duties of the persons appointed.”

It's no longer the mayor's or council's total jurisdiction to appoint deputy mayors, or even the people's to vote for deputy mayors. It's the minister who can, by regulation, appoint not only one, but two or three, and then decide what each one of them is going to be responsible for.

Going on, and there's quite a group of them, I think (e) is a very interesting one: “establishing procedures for the appointment of persons who are nominated under clause (d) by the head of council.”

So even if the mayor appoints the people and the minister agrees with them, so he doesn't by regulation have them appoint someone else, he can then sit down and prescribe what he wants that individual to do.

Actually, (g) is an interesting one. It's “prescribing transitional matters relating to the exercise of powers and performance of duties under clauses (d) and (e).”

Again, after he has appointed the committees, he can actually set the agenda for each committee.

At this point, in going through this part of the act, I don't think very many municipalities in Ontario want this section in the Municipal Act. I don't think that any municipality in the province wants to give the type of authority to the Minister of Municipal Affairs that it presently has in the Municipal Act. The minister doesn't have the power to do all this under the present Municipal Act. In fact, the council gets to decide how it's going to structure committees or whether it's going to have any committees at all. Since the last restructuring in my home county of Oxford, they don't have any committees now. Council does all the committee work as a whole. That's their choice. Under this, if this were in the Municipal Act, the minister could say, “I don't like that. I want you to appoint committees because I have this vision of how government is supposed to work and yours doesn't work that way.”

There are more, and they all relate to very small issues, but the last one is (j): “specifying the duties of the head of council in respect of the adoption or readoption of such a budget by the city.”

So now we can actually have a regulation that tells the mayor how he must proceed with getting the budget passed at city council. I just don't know how we get that back to autonomy and accountability to city council. In

fact, when I brought that up—there were no amendments. We did not make an amendment to that section, nor did anyone else from the government or from the third party. The reason for that was, I believe, that no one gave it any thought that we would pass that section. It just doesn't make any sense, because it is totally at the opposite end of the spectrum of what needs to be done.

The next one is just to remove a section, and I think it was mentioned in one of the items. It is the ability to tax. If we go to section 262 of the bill, it's the area where it gives the taxing authority to the city. It's called, “Power to impose taxes.” If you read the whole section, it's all about exclusion, what they cannot charge taxes on. We find out right at the end of the committee work that in fact there's a section where they can levy costs across the city for future costs that they may spend for the benefit of the city. So I'm not sure that any of these tax exemptions mean anything. It's just in the wording. But they have a whole list here of taxes that are excluded, from one to 13. But in number 5, there are four subparagraphs, i to iv, and they allow the tax to be put on amusements, the purchase of liquor, the production of beer and wine by a person—so that's in the home-brew industry; they can charge tax on that—and for the purchase of tobacco.

We put forward an amendment to have subparagraph ii, “for the purchase of liquor as defined in section 1 of the Liquor Licence Act for use or consumption,” and subparagraph iii, “for the production by the person of beer or wine, as defined in section 1 of the Liquor Licence Act, at a brew on premise facility, as defined in section 1 of that act, for use or consumption,” removed. The reason for that was not so much that we oppose those being taxed; we just do not see the ability to administer an extra sales tax on that.

The industry tells us that it would be devastating to have the price of these entities—liquor and beer—higher in Toronto than elsewhere. It would be devastating to the tourist industry. Just imagine: You can go on one side of Steeles Avenue and pay less than on the other side because of an extra tax line on the bill.

Even if it was possible to do that, it's very important to recognize that the city doesn't have the ability to tax or to have a tax collection system for that structure, so the act allows for the city to ask the province to collect it. Our position would be that if you're going to do that—and I don't believe the way to solve the city's problems is with more taxation—why would you not just raise the provincial tax and revert some of that tax to the city, rather than say, “We have another line on the bill. When you go to an establishment, there's another tax line for city taxes”? We believe it would be almost impossible to administer, and that's why we put that amendment in there, to have those taken out.

The Ontario Restaurant, Hotel and Motel Association made a presentation. As I mentioned earlier, they said it would be devastating to them because so many of their small people are working below a 10% margin already. If they have to compete with people who can sell at the lower tax rate across the border, it would put a lot of them out of business and it would be very devastating.



At that point in the committee hearings, the government said, "Don't worry. The mayor has said he would not do anything that would be detrimental to business and to his community." The question then has to be, why put it in if they're not going to use it?

Last, and very quickly—my time has expired—I do want to say that there was one other issue that had to do with the ability to charge land transfer tax. The act does not include that specifically, but as I mentioned earlier in that list of all the things that were excluded, it does not exclude land transfer tax. If we don't exclude land transfer tax, that would mean the city would have the ability—and incidentally, that's likely one of the few places where they could raise the type of money they say they need to balance the budget. But if they put land transfer tax on, that would be devastating to the building industry, because, again, the land transfer tax is already there provincially. There is no municipal function within the function of transferring the land, yet in their licensing fee, there is nothing that says they can't charge that. So we have great concern. We put forward an amendment to eliminate that, and that amendment was voted down too.

With that, you can see that though we support a City of Toronto Act and we support a lot of things in Bill 53, we do not support the taxing authority, because we do not believe it will accomplish anything. In fact, it will be detrimental to the city of Toronto.

With that, I'll turn it over to my colleague, who has a few other points she'd like to raise.

1720

**Ms. Lisa MacLeod (Nepean—Carleton):** I'd just like to applaud my colleague from Oxford, Ernie Hardeman, for his very thoughtful presentation here today. I've been fortunate, since being elected, to be his apprentice in the municipal affairs critic portfolio. I really appreciate all of the time and effort he's put into getting me up to speed, and teaching me a thing or two about the Municipal Act and Bill 53.

As you know, I spent quite a deal of time with the new city of Ottawa as a policy adviser to a few of the city councillors there. In particular I looked at this piece of legislation as I would as a staff member at the city of Ottawa, as well as a legislator here today.

I'm pleased to add my voice to this debate on Bill 53. It's a very important piece of legislation, as my colleague has mentioned, for Ontario's—in fact, Canada's—largest city.

Having said that, my concern is that this legislation can be described as a piece of precedent-setting legislation that can have impacts on municipalities throughout Ontario other than Toronto in the longer term. It has been described by my friend Gail Logan, who is the president of the Ottawa Chamber of Commerce, as the "template for the revised Municipal Act." When I think about that, I think about some of the changes to this bill that should have occurred during committee.

Gail adds that there is a major danger in this legislation. She says that "municipal governments in Ontario will likely acquire the power to get through the back door what they couldn't get through the front door," and she

says that's "more taxes." That's what I'm going to spend the bulk of my presentation on here today.

Judith Andrews of the Canadian Federation of Independent Business concurs with Gail Logan. She adds her voice to this and tells us, "Once Toronto receives new permissive powers, it won't be long before at least some other municipalities seek the powers to follow suit. This would result in a patchwork quilt of differing local regulations, taxes, charges and uneven levels of service across the province."

During committee and certainly in our offices we received a lot of e-mails, faxes and general correspondence, and we've heard some examples of dangers in precedent setting. In my community, the city of Ottawa, restaurant owners were alarmed with section 262 of the bill, which allows a sales tax to be imposed on customers who purchase liquor at a restaurant. I know that I'm not the only one who received this type of correspondence from their communities. Business owners in my community of Nepean—Carleton—in fact, the entire city of Ottawa—are very concerned with this.

One establishment owner wrote to me, "I'm writing to you today to raise my strong opposition to the proposed authority for the city of Toronto to levy a direct retail sales tax on the purchase of liquor. I am requesting that this provision be revoked from Bill 53, Stronger City of Toronto for a Stronger Ontario Act, and that a similar provision not be contained in a new Municipal Act." There you go. They're concerned right now that there has been a precedent set because section 262 has been included in the act. My constituent continues:

"As a worker in a food service establishment licensed to sell and serve liquor I am opposed to any additional taxes on liquor. Any new tax on liquor will result in a decrease in liquor sales, which will impact the number of shifts available and lower my earnings, both wages and gratuities."

So now we're being told by the business community that this piece of legislation—in particular, section 262—could have an impact on our economy. My constituent continues:

"Toronto's private sector businesses and their employees cannot afford, nor should they be expected, to shoulder the cost of remedying the city's economic woes."

"As Bill 53 is currently under consideration by the Legislature, you have the opportunity and the authority to stand up in support of the hospitality industry and small business and make a legislative amendment now." I'm proud to say, I did make an amendment at committee, although it failed. "The hospitality industry calls on you to ensure that the proposal to give the city of Toronto direct taxation power on the purchase of liquor is removed from Bill 53 and is not included in the Municipal Act." There is still time to make sure that section 262 is not included in the new Municipal Act. My constituent continues, "The sustainability and viability of Ontario's hospitality industry depends on it."

My leader has stood in this Legislature as well, speaking about this tax. Mr. Tory has spoken out against this ill-conceived power to impose new taxes. In this



chamber, Mr. Tory questioned the Premier on this new tax on May 2, and I'd like to highlight some of his remarks on this section, the bar tax section of the legislation. I quote Mr. Tory:

"People who go to a bar to buy a drink presently pay the 7% GST, probably soon to be lowered"—and I'd like to bring this House up to speed; thankfully, my seatmate's husband was able to give us a GST reduction in the recent federal budget, so kudos there—"and a 10% provincial beverage tax. So the day after people sent you, with their income tax returns, hundreds of dollars in the McGuinty health tax that you said you would never bring in, if they wanted to go and have a drink to revive themselves from tax fatigue, you are now proposing in your legislation to add one more tax." So we went from "No new taxes" to "Let's find new ways to create taxes."

Mr. Tory goes on to ask the Premier, "Can you confirm that the City of Toronto Act enables the city to bring in yet another tax on drinks, that in addition to the GST, in addition to the 10% provincial beverage tax, you're going to allow another tax to be brought in by another level of government to tax a drink that a person might want to go and have?"

Of course, this being question period, it means it's not an answer period, so Mr. Tory got no response. But he continues—I have to say that one thing I love about my leader, and there are many things, but the one thing I love about him the most is that he's persistent. He says, "What the Leader of the Opposition is actually saying, I say to the Premier, is that people are paying enough tax, including on a drink. When they go to try and have a drink, or when tourists try to come and patronize our tourist and beverage establishments in Ontario, they are paying enough tax." I couldn't agree with him more. The people of Ontario are paying enough tax since this government took office. In fact, they've found new and creative ways to tax people. I'm sure they're on the other side right now, dreaming up new and innovative ways to tax me tomorrow. I could actually provide them with a taxation innovation award, because they've created and they've approached and they've employed many new tax-invoking measures since 2003.

But back to the bill. I have to ask, what of the negative impacts on small neighbourhood establishments? At committee, members of this Legislature heard from Steve Mastoras, a former Toronto city councillor and owner of Whistler's Grille. Mr. Mastoras warned us of the negative impacts a new liquor tax would have on his industry. He tells the committee: "It is important to remember that there are over 4,000 licensed establishments in the city of Toronto. So when we talk about the city's hospitality industry, it's crucial that we talk about the independent restaurants throughout the whole city, not just downtown, not just the entertainment district and certainly not hotels—4,000 small businesses and a correspondingly substantial number of employees."

There you have it. I've read into the record correspondence from my community in Ottawa concerned that this could be precedent-setting legislation and about what it will do to the city of Ottawa. Now we're hearing from

a former city of Toronto councillor, who also owns a bar, telling us this is going to impact the economy. He adds later in his deputation:

"It is a daily challenge to continue to keep our customers happy, meet the payroll and satisfy employee expectations, all the while facing increasing operating costs and incredible pressure on already slim margins."

"We have struggled in our industry and as small businesses, with consecutive annual increases to minimum wage, dramatic increases to utility costs, higher property taxes, higher rent, increasing WSIB costs, increasing benefit costs and higher and more user fees. There really is no room for an increase in our selling prices."

I don't think it could be much more clear that small, independent restaurants are going to suffer. So there we have it. Not only has a section of Bill 53 been introduced that small business owners across Ontario oppose because of the potential for a dangerous precedent-setting clause in the Municipal Act that they fear could later impact them; this section 262 is also another creative tax against hard-working middle-class Ontarians who have been stung time and time again by this Liberal government—a government, let's not forget, that promised in 2003 not to raise our taxes but by 2006 has created a new tax-increasing power for another level of government. Couple this with the fact that small, independent establishments, the neighbourhood bar that we pass on our way home from work every day, are in danger of disastrous effects to their businesses. I find it hard to believe that when I moved a motion, as I stated earlier, to remove this tax-increasing capability from Bill 53, the government would still use its majority to defeat the motion.

1730

Of course, all this is going on in the context of Mayor Miller himself saying that he wouldn't use such a taxing measure. But the danger is not what he says today; the danger is that future councils could still impose this tax.

Before I move on to another part of the bill, I'd like to include a final note of caution on section 262 of the bill from Steve Mastoras, who I thought delivered a great presentation, having read his deputation: "We need you to do the right thing here. We have been reeling from the effects of a series of unavoidable external events and can't take another body blow. We need you to remove the proposed power of the city to impose a new liquor tax." Again, a business owner, a former city councillor. This man knows his stuff, and I think we should have listened to him at the time.

Another PC motion in committee failed, one that I think with its absence creates another distressing scenario where there will be a precedent-setting tax hike across Ontario. My colleague the member from Oxford, who is also our municipal affairs critic, moved that under section 263 of the Municipal Act, the government clarify its position on land transfer taxes by including within the bill an express statement that the city of Toronto is not authorized to impose taxes "on a person in respect of the registration of a conveyance of land as described in subsection 2(1) of the Land Transfer Tax Act."



I believe that without an express statement opposing a land transfer tax, we are skating on thin ice. Take, for example, what the Toronto Real Estate Board has said: "Under Bill 53, Stronger City of Toronto for a Stronger Ontario Act, the city of Toronto would be given general authority to levy taxes with certain limitations. Land transfer tax is not included as one of those limitations, meaning that, this option would be open to Toronto city council if the legislation is passed." It almost sounds like a done deal, and as I said, precedent-setting. As somebody who lives in the city of Ottawa, I'm concerned that it might end up in the Municipal Act.

John Meehan, the president of the Toronto Real Estate Board, adds, "Most people agree that property taxes can't sustain the level of investment needed for things like transit and infrastructure. But"—and there is a "but"—"the answer is not a municipal land transfer tax. That's just another tax on property." Might I add personally, it's another tax on the individual.

He continues, "It's not clear what, if any, costs related to property transactions that a Toronto land transfer tax would be funding. Notwithstanding issues of fairness, a Toronto land transfer tax would be counterproductive. Many people are already choosing to live outside of the city because they simply cannot afford to live here. A Toronto land transfer tax would make this situation even worse, which in turn would mean less growth in Toronto's taxable assessment base and more urban sprawl resulting in"—guess what?—"increased commuter gridlock, pollution and frustration levels."

I don't have to tell anybody who's ever tried to drive through the city, as I've been doing for the last two months, the frustration people have with gridlock.

Again, in Ottawa, the fear that without an express statement that the land transfer tax is not included in the limitations for taxing authority for the city of Toronto, the Joint Ontario Business Sector Coalition, or the JOBS Coalition, as they are known, recommended against a land transfer tax. This coalition comprised some of the leading fiscal voices in the country: John Dickie of BOMA Ottawa; Judith Andrew of the Canadian Federation of Independent Business; Tasha Kheiriddin of the Canadian Taxpayers Federation; David Lyman, Eastern Ontario Landlord Organization; John Hebert, Ottawa Carleton Home Builders Association; Dick Brown, Ottawa Gatineau Hotel Association. I'm very proud that one of my staff members, Katherine Hollinsworth, formerly of the Ottawa Chamber of Commerce, also sat on this committee.

I've worked with many of these people in the past at Ottawa city hall on city budget related issues, and I also worked with many of them when I was a federal Conservative aide on Parliament Hill with the Progressive Conservative Party of Ontario and then the Conservative Party of Canada. It would only make sense that their expertise in the financial sector and the other two levels of government would spill over into our jurisdiction.

I respect the views of those on JOBS, and they are warning that any ability to levy a municipal land transfer tax should be rejected because the province already

levies a land transfer tax, and they're not alone. While offering their deputation at committee, the Canadian Institute of Mortgage Brokers and Lenders adds their voice.

They express serious concern about the possible introduction by the city of Toronto of a new property-based land transfer tax. They say, "Today in Ontario the provincial government generates nearly \$1 billion from the provincial land transfer tax, or LTT. This tax has been a growing component of provincial revenues. Bill 53, while prohibiting other forms of taxation, including personal and business taxation, does not explicitly prohibit the city of Toronto from introducing a municipal land transfer tax."

I'm going to continue to read this, but I just want to add that there seems to be enough confusion among stakeholders in Ontario, and specifically in Toronto, that an express opinion by the government to not include this taxing authority as prohibited is going to wreak havoc.

They continue: "According to the Toronto Real Estate Board, which has already spoken before the committee, the average land transfer tax currently paid by Toronto homeowners is in excess of \$3,000, and I think they estimate close to \$4,000 for every real estate transaction. The legislation before you today would allow the city to increase this total. The Canadian Institute for Mortgage Brokers and Lenders opposes such a new tax for the following reasons."

They go on to state: "The city and province have stated that they want to move away from property-based taxes as a sole revenue source, yet one of the new taxes seemingly offered the city is for a new property-based tax in the form of"—guess what?—"a municipal land transfer tax."

"An additional land transfer tax would make owning a home expensive in the city relative to other parts of the greater Toronto area and Ontario, whose municipalities will not have the same powers, thereby acting as a serious disincentive to the provincially mandated plan of intensification and promoting growth within the city of Toronto."

"A municipal land transfer tax would also impact affordability directly by increasing the cost of all housing, particularly for first-time buyers." I'm a first-time home buyer and I know how difficult it was for me and my husband and our new family to start our first home. Now we're going to be making it more difficult. "Finally, it is worth noting that both Alberta and Saskatchewan do not even have a land transfer tax"—get this, Mr. Speaker—"yet residents in Toronto may be impacted by two separate ones."

It means we could have a land transfer tax and we could have a bar tax. We're a little bit there; we're not already there. The mayor has said, "Okay, we may not implement the bar tax." Because there's no expressed opposition to this land transfer tax being imposed on people, we could be taxed there too. So now we've got two new taxing authorities within the City of Toronto Act that we didn't have. That has taxpayers in Toronto and, by extension of the precedent setting, the rest of On-



tario—we've got lots of taxpayers scratching their heads and hoping for the best. Thank goodness for Stephen Harper, because he's reducing our taxes when this government is raising them. As much as the McGuinty government would like to find creative new—

*Interjections.*

**Ms. MacLeod:** I can't ever make a statement in this chamber without them heckling me. I can't tell if they're trying to compliment me or trying to hurt my feelings. Thank goodness I've got Rosario Marchese. I know I've got him.

As much as the McGuinty Liberals would like to find creative new taxing powers and muddle the line between who is taking the tax dollars, the city or the province, there's one fundamental and undeniable truth: There is only one taxpayer. You know, I find it funny that they don't believe there's only one taxpayer. They're going to tax drinks, they're going to tax land, but they're going to tax everyone. It is we who are paying the taxes. It's the middle class. I'm not sure what members opposite have against the working middle class, but it's getting tougher to raise a family. It's over \$2,000 more per year that they're taking out of my pocket since they've come to office.

1740

I'm sorry, Mr. Speaker. I got a little off track there. But we have to ensure that there's accountability. Since there are now new taxing powers in the city of Toronto and possibly throughout the rest of Ontario—which, knowing these guys, they'd like to find new and inventive ways to create new taxing powers for everyone else and themselves—

**Mr. Hardeman:** If it moves, tax it.

**Ms. MacLeod:** Yes, exactly. If the issues I highlighted earlier are not fixed within the new Municipal Act, I fear that the residents of Ottawa will be paying more taxes.

The Real Property Association of Canada is so concerned with Bill 53 that it has posted on its website the following: "Any new taxes could seriously harm the competitiveness of the city and undo the benefits from reducing the commercial to residential tax ratio. This would ultimately result in a less competitive city, driving existing businesses further out of the core and prevent new businesses from coming to Toronto." I have to apologize to the Real Property Association of Canada because apparently their concerns weren't listened to. It's unbelievable.

In closing, I would like to conclude with what the Urban Development Institute of Ontario's Neil Rodgers stated at committee: "Through Bill 53, the province intends to modernize the existing legislation to 'recognize that Toronto is a mature government, capable of exercising its powers in a responsible and accountable fashion.'

"During a comprehensive legal review of the bill, we have noted and are concerned that the bill lacks measures to ensure accountability and transparency respecting new and increased taxes, fees and charges. Specifically, the industry is troubled that the bill is void of any appeal

mechanisms, particularly with respect to those matters whereby city council, a committee of council or its local board can pass bylaws that have a financial impact on the public and stakeholders. Nowhere in various sections of the bill, as noted in the brief, do we see any requirements for council or a committee of council to inform the public of a proposed or increased tax, fee or charge, or how the public might appeal a decision of council. Section 261 does permit the minister to make regulations; however, at this time, we have not seen such regulations, and so there are a number of questions regarding the proposed regulations. Will the regulations stipulate public notification requirements for a proposed tax fee or charge? Will the regulations stipulate public notification of a council, committee or local board decision with respect to a proposed tax, fee or charge? And in the absence of the Ontario Municipal Board being permitted to hear disputes, will the legislation stipulate which body will hear the appeal, presuming the province and the city believe that Toronto residents, landowners and business owners are entitled to a fair and just process?"

I reiterate some concerns highlighted earlier by my colleague from Oxford, who is concerned that the other side has not listened to other stakeholders and landowners, or even Toronto residents and taxpayers. In fact, they just listened to their own friends, who told them what they wanted to hear. I'm going to tell you something. They only listened basically to people who wanted more tax-increasing powers. They're not talking to the taxpayer, because the taxpayer is going to tell them, "We can't afford it any more. When we're not convinced that they're going to give us value for money, we have to ask questions."

*Interjection.*

**Ms. MacLeod:** There is a series of questions here from various stakeholders that weren't answered. There is a series of questions from people across Ontario, including in my city of Ottawa, who are concerned that this piece of legislation is going to actually impact them through the new Municipal Act. I'd like to know from the parliamentary secretary—who has spent a good deal of his time, or my time, heckling me—if he's going to stand up and assure me that a land transfer tax will not appear in the Municipal Act and if he will assure me that a bar tax will not appear in the Municipal Act, so the residents of Nepean–Carleton and the residents of the city of Ottawa will not be taxed further than they already are. They sent me here on March 30 because they oppose being taxed. They are tired of the new user fees. The people of Nepean–Carleton expect value for their dollar, and this piece of legislation, if it's sent down to the city of Ottawa through the new Municipal Act, is not at all going to impress upon them the value of their dollar. It's not going to impress upon them the fact that they want to be paying more taxes.

*Interjections.*

**Ms. MacLeod:** Again, I must get under their skin since I've been here, because—

**The Acting Speaker:** I'm sitting very close to the member for Nepean–Carleton and I'm having trouble



hearing her. I would ask the government members to refrain from heckling. Member for Nepean—Carleton.

**Ms. MacLeod:** Now they're trying to say I speak too loud. You know what, Mr. Speaker? Here's the biggest thing I had to learn when I came here: The Liberals try to drown you out when you say something they don't want to hear. So I've learned to speak extra loud since I've been here so that they can hear me on the other side, because—

*Interjections.*

**Ms. MacLeod:** Listen, here we go again. They're doing the same thing. They don't want to hear that people in Ontario oppose their new creative ways to invent new taxes. The people in Ontario are tired. The song, "Hand in my Pocket" on the commercial is written about these guys. They're taking my money all the time. They're taking from other young families. I've got the highest-growth area in all of the city of Ottawa and I don't know how, if some of these taxing measures are introduced in the city of Ottawa—

*Interjections.*

**Ms. MacLeod:** There we go again. If these new taxes are introduced in the city of Ottawa—

*Interjection.*

**The Acting Speaker:** I would ask the member for Peterborough to come to order; I return to the member for Nepean—Carleton.

**Ms. MacLeod:** Mr. Speaker, this is the most activity we've had today, because I think the Liberals were a little upset yesterday over that massive defeat they suffered at the hands of the Conservatives last night, when we won on a motion to put an inquiry forward at Caledonia.

We're very happy, on this side, to be speaking for the people of Ontario, standing up for the people of Ontario. Today, I did that, the member from Oxford did that and the member from Parry Sound—Muskoka did that when we spoke to this legislation, Bill 53. In principle, we support a City of Toronto Act, but they should have made firm stands on taxation, and they did not.

Thank you very much for this opportunity to speak to this bill today. I want to again thank the member from Oxford for being such a great mentor to me, and to all of the people who spoke to this bill in committee.

**The Acting Speaker:** Questions and comments?

**Mr. Rosario Marchese (Trinity—Spadina):** I just want to congratulate the member from Nepean—Carleton for her vigorous speech and, I think, a very good speech attacking the Liberal government on what they are doing.

Now, remember, member from Nepean—Carleton, we're not likely to agree on this, right? In fact, there are different reasons for which some of us speak strongly against what is contained in the bill or not contained in the bill. One of the things that is contained in this bill that we agree with, for different reasons, is that this government is going to allow the city of Toronto to tax a levy on alcohol, tobacco and entertainment. Out of that, they estimate they might be able to raise 50 million bucks. They don't think it's a bad idea. I tell you that I think it's a bad idea for the following reasons.

*Interjection.*

**Mr. Marchese:** What the member from Scarborough Centre labels as historic is that the city of Toronto is going to have the power to tax and they think down-loading that responsibility is a great thing. Imagine the mayor of Toronto going to the city of Toronto taxpayers and saying, "We're going to levy a tax on alcohol, tobacco and entertainment, and you're going to like it." Imagine the city of Toronto having to take responsibility for that tax. The province doesn't give it the \$50 million out of provincial revenues that come out of income tax or sales tax. Oh, no, they're giving them the power to levy a tax on alcohol, tobacco and entertainment, and they expect the city to say thank you.

I'm telling you, this is not something I would enjoy, as a city politician. I would rather have you give me the \$50 million than to take responsibility for imposing a tax that nobody's going to like except the member from Scarborough Centre, who labels this as an historic document. God bless you, member from Scarborough Centre.

1750

**Mr. Bas Balkissoon (Scarborough—Rouge River):** I'm happy to add a few comments to Bill 53, Stronger City of Toronto for a Stronger Ontario Act. I see this as a landmark piece of legislation that is absolutely needed. It's just showing respect to the city of Toronto. To be honest with you, given the size of the city of Toronto, you need that council to be creative and run a better city if you want to have a world-class city.

The speaker from the opposition party said that we're not consulting. Let me tell you that as a former member of the city of Toronto council, I know the city staff worked with the provincial staff, and they had consultations across the city. I attended it in Scarborough, along with my colleague Mr. Brad Duguid.

Let me just draw a reference. When they amalgamated the city of Toronto, I can tell you the Conservative Party under Mike Harris never consulted. To tell you the truth, they appointed my former mayor, Mayor Joyce Trimmer, to head a task force into amalgamation. She made a very good recommendation. In fact, many of us supported it. But the Mike Harris government totally ignored what Mayor Trimmer recommended to them, and they amalgamated the city of Toronto against her wishes. They did their own consultation and they ignored it. At least we went to the public in the city of Toronto, and the public responded well.

I can tell you that I also attended the press conference with the Premier and Mayor David Miller. Mayor David Miller supports this legislation wholeheartedly. In fact, he makes public comments about this legislation continuously because he's trying to build a better and stronger city. I would say to you that this is respect for politicians at the city level.

**Mr. Miller:** It's my pleasure to add some comments to the speech from the member from Oxford and the apprentice to the member from Oxford, the member from Nepean—Carleton, who made an excellent speech and is going to be here for many years, I can tell you that.

The member from Nepean—Carleton read some letters from concerned constituents in the Ottawa area, people



working in the entertainment business concerned about some of the new taxing powers that this bill would bring—a booze tax, a liquor tax, an entertainment tax—and the negative effects that might have on the tourism sector. I say the tourism sector is struggling. If we look at the numbers from 1998 through to 2004, we've seen a 40% decline in the number of American visitors to the province of Ontario in that time. We've had the Canadian dollar increasing dramatically recently and increased regulations. We don't need any more negatives in terms of the tourism sector here in Ontario.

I would like to also talk about smaller municipalities and the challenges they face. I met this past Friday with councillor Bruce Campbell from the village of Burk's Falls, and Doug Jeffers, the head of the arena fundraising committee for the Armour, Ryerson and Burk's Falls Arena. They pointed out two very important projects in the village of Burk's Falls that they're struggling to try to figure how to fund. One is the water system. The drinking water system in Burk's Falls doesn't have enough pressure to supply water for an emergency nor enough water pressure for the necessary expansion that's going to come through as the four-laning goes by Burk's Falls.

The other is, the key arena and the municipal civic centre that's part of the arena needs a new roof, and they also need a new ice plant. It's going to cost over \$1 million for that vital municipal facility.

The point I'm making is that small municipalities have some real challenges and they need funding such as that recommended by the member from Renfrew–Nipissing–Pembroke: a share of the gas tax fairly split up amongst all small municipalities.

**Mr. Bisson:** I've got to say that, like my good friend Rosario Marchese, the member from Trinity–Spadina, I really enjoyed the dissertation on the part of Ms. MacLeod. I don't agree with everything she said, but I thought it was put forward in a very clear and concise way. She was very witty, she was confident, and for that I give her full marks.

Some of the issues we agree on though. I want to basically touch on those, and one is what happens in small-town Ontario outside of the big cities. First of all, before I go to that, I tend to agree with you. I'm probably a bit of a minority view within our caucus in regard to this particular issue, because I kind of worry about transferring these responsibilities onto the municipality. My feeling is that it's the province that caused this financial crunch that municipalities have in the first place by downloading, and shifting over these abilities for municipalities to tax is a way of instituting, in my view, the download that has been done. I would much rather engage in a discussion about how we upload some of those services back to the province, where they belong.

But listen, I accept I'm a minority view in this. The city of Toronto wants it. The municipal council of the city of Toronto wants it. Mayor Miller wants it. I guess that's good enough for most of us here.

On the other issue, in regard to what it means for smaller communities, listen, it's a real struggle. I listened to the minister earlier, who said he agreed with my pre-

vious comments that there needs to be something done for small municipalities, and they were going to give us this legislation to fix it. Who do you tax if you're the LSB in Moose Factory? Who do you tax if you're the community of Moosonee, where they need money to fix crumbling infrastructure? There is no assessment. In Moosonee, I would argue that about 40% of the possible assessment is non-assessable because it's not-for-profit housing, government buildings, churches and such. So where do you get the money? I think the issue is that we have to properly fund infrastructure programs to allow smaller communities to come out a bit more ahead.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to one of the opposition members. The member for Nepean–Carleton, you have two minutes to reply.

**Ms. MacLeod:** I'd like to thank the members from Trinity–Spadina, Scarborough–Rouge River, Parry Sound–Muskoka and Timmins–James Bay, as well as the members who didn't have an opportunity to speak to this but are in the chamber now or have attended the committee hearings. I think it's only appropriate that they call me “The Apprentice” to The Donald, so to speak, because this bill could actually have a theme song called, “Money, Money, Money,” just like the theme song of the reality show, because they're taking more money out with this bill.

I know the members from the New Democratic Party, the third party, don't necessarily agree with why we disagree together on this bill, but I just want to leave with one parting thought.

John Tory, the leader of the official opposition, has long been an advocate of examining the real imbalance between municipalities, the province and the federal government. My party, the Progressive Conservative Party, believes that we ought to do a thorough examination of that fiscal imbalance before we start allowing the creatures of the province, the municipalities, to levy new taxes that they weren't allowed to before.

I think we need to do that. I think we need an examination of the federal-provincial-municipal imbalance and then, and only then, should we start thinking about increasing people's taxes or creating new taxes, as it were.

Mr. Speaker, I'd like again just to thank you for this opportunity to extend my thanks to the other members who spoke to this and who responded to my comments. They all brought valid points, I believe, to this. But again, we must remember, as the member for Scarborough–Rouge River said, “It is respect for the city,” but he has to remember that we also have to have respect for the taxpayer, because when they can't afford to pay taxes any more, other things are going down too. That means they're not going to be able to spend it on utilities, food, shelter and other things. Thank you, Mr. Speaker.

**The Acting Speaker:** It being 6 o'clock, this House stands adjourned until later on this evening at 6:45 p.m.

*The House adjourned at 1758.*

*Evening meeting reported in volume B.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kornos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior– Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation		Bisson, Gilles (ND)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Timmins–James Bay / Timmins-Baie James	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Tabuns, Peter (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto–Danforth	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Trinity–Spadina	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound–Muskoka	Miller, Norm (PC)	Vaughan–King–Aurora	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)		Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Waterloo–Wellington	Zimmer, David (L)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)		<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Prince Edward–Hastings	Parsons, Ernie (L)	Whitby–Ajax	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Willowdale	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Samia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	Windsor West / Windsor-Ouest	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	Windsor–St. Clair	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York Centre / York-Centre	Sergio, Mario (L)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	York North / York-Nord	
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York South–Weston / York-Sud–Weston	
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux	York West / York-Ouest	
Scarborough–Rouge River	Balkissoon, Bas (L)	Parkdale–High Park	Vacant
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## TABLE DES MATIÈRES

Mardi 6 juin 2006

### DÉCLARATIONS DES DÉPUTÉS

#### Shelby Heinbuch

M. Lalonde ..... 4340

### PREMIÈRE LECTURE

#### Loi de 2006 sur les designers

d'intérieur, projet de loi 121,

*M. Peterson*

Adoptée..... 4342

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

#### Protection de l'environnement

M<sup>me</sup> Broten ..... 4343

M<sup>me</sup> Scott..... 4344

M. Tabuns ..... 4346

#### Mois de la récréation et des parcs

M. Watson..... 4344

M. Miller..... 4345

### QUESTIONS ORALES

#### Ententes Ontario-Québec

M. McNeely ..... 4353

M<sup>me</sup> Bountrogianni..... 4353

#### Services en français

M. Bisson ..... 4356

M. Phillips..... 4356

### DEUXIÈME LECTURE

#### Loi de 2006 modifiant le Code

des droits de la personne,

projet de loi 107, *M. Bryant*

Adoptée..... 4347

### TROISIÈME LECTURE

#### Loi de 2006 créant un Toronto

plus fort pour un Ontario

plus fort, projet de loi 53,

*M. Gerretsen*

Débat présumé ajourné..... 4376

# CONTENTS

Tuesday 6 June 2006

## MEMBERS' STATEMENTS

<b>House proceedings</b>	
Mr. Dunlop .....	4339
<b>Quarry Village</b>	
Mr. Berardinetti .....	4339
<b>Native land dispute</b>	
Mr. Barrett .....	4339
Mr. Miller .....	4340
<b>Shelby Heinbuch</b>	
Mr. Lalonde .....	4340
<b>Hospital services</b>	
Mr. Kormos .....	4340
<b>Tim Hortons Camp Day</b>	
Mr. Levac .....	4340
<b>Child care</b>	
Mr. McMeekin .....	4341
<b>Science fair</b>	
Ms. Matthews .....	4341

## FIRST READINGS

<b>Thunder Bay International Airports Authority Inc. Act, 2006,</b>	
Bill Pr27, <i>Mr. Mauro</i>	
Agreed to .....	4342
<b>Interior Designers Act, 2006,</b>	
Bill 121, <i>Mr. Peterson</i>	
Agreed to .....	4342
Mr. Peterson .....	4342

## MOTIONS

<b>House sittings</b>	
Mr. Bradley .....	4342
Agreed to .....	4342

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Royal Botanical Gardens</b>	
Ms. Di Cocco .....	4342
Mrs. Munro .....	4344
Ms. Horwath .....	4345
<b>Environmental protection</b>	
Ms. Broten .....	4343
Ms. Scott .....	4344
Mr. Tabuns .....	4346
<b>Recreation and Parks Month</b>	
Mr. Watson .....	4344
Mr. Miller .....	4345

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Runciman .....	4348, 4353
Mr. McGuinty .....	4348, 4351

Mr. Hudak .....	4348, 4357
Mr. Hampton .....	4351
Mr. Kwinter .....	4354
Mr. Sorbara .....	4357

## Environmental protection

Mr. Hampton .....	4349, 4350
Mr. McGuinty .....	4349
Ms. Broten .....	4349, 4350
Mr. Duncan .....	4350

## Health promotion

Mr. Barrett .....	4351
Mr. Ramsay .....	4351

## Internationally trained professionals

Ms. Marsales .....	4352
Mr. Colle .....	4352

## National child benefit supplement

Mr. Prue .....	4352
Mrs. Meilleur .....	4352

## Ontario-Quebec agreements

Mr. McNeely .....	4353
Mrs. Bountrogianni .....	4353

## Forest industry

Mr. Bisson .....	4354
Mr. Ramsay .....	4354

## Consumer protection

Mr. Ruprecht .....	4354
Mr. Phillips .....	4355

## Tobacco control

Mr. Barrett .....	4355
Mr. Kwinter .....	4355

## French-language services

Mr. Bisson .....	4356
Mr. Phillips .....	4356

## Job creation

Mr. Lalonde .....	4356
Mr. Bentley .....	4356

## PETITIONS

### Heritage conservation

Ms. MacLeod .....	4359
-------------------	------

### Trade development

Mr. Leal .....	4359
----------------	------

### Drug legislation

Mr. Martiniuk .....	4359
---------------------	------

### Child care

Mr. Ruprecht .....	4359
--------------------	------

## SECOND READINGS

<b>Human Rights Code Amendment Act, 2006, Bill 107, Mr. Bryant</b>	
Agreed to .....	4347

## THIRD READINGS

### Stronger City of Toronto for a Stronger Ontario Act, 2006, Bill 53, Mr. Gerretsen

Mr. Gerretsen .....	4360, 4366
Mr. Duguid .....	4363
Mr. Hardeman .....	4365, 4367
Mr. Berardinetti .....	4365
Mr. Miller .....	4365, 4375
Mr. Bisson .....	4366, 4376
Ms. MacLeod .....	4371, 4376
Mr. Marchese .....	4375
Mr. Balkissoon .....	4375
Debate deemed adjourned .....	4376

## OTHER BUSINESS

### Visitors

Mr. Miller .....	4341
Mr. Barrett .....	4341
Mr. Watson .....	4341
Ms. Horwath .....	4342
Mr. Lalonde .....	4342
Mr. Levac .....	4342

### Wearing of pins

Mr. Smitherman .....	4346
----------------------	------

### Anniversary of D-Day

Mr. Bradley .....	4347
Mr. Tascona .....	4347
Mr. Hampton .....	4347

### Premier's comments

Mr. Runciman .....	4357
Mr. Kormos .....	4357
Mr. Bryant .....	4358
The Speaker .....	4358

Continued overleaf





No. 85B

N° 85B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 6 June 2006**

**Mardi 6 juin 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 June 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 juin 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### INCOME TAX AMENDMENT ACT (ONTARIO HOME ELECTRICITY RELIEF), 2006

### LOI DE 2006 MODIFIANT LA LOI DE L'IMPÔT SUR LE REVENU (AIDE AU TITRE DES FACTURES D'ÉLECTRICITÉ RÉSIDENTIELLE DE L'ONTARIO)

Resuming the debate adjourned on May 29, 2006, on the motion for second reading of Bill 117, An Act to amend the Income Tax Act to provide for an Ontario home electricity payment / Projet de loi 117, Loi modifiant la Loi de l'impôt sur le revenu pour prévoir un paiement au titre des factures d'électricité résidentielle de l'Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** It's a pleasure to join the debate on Bill 117 this evening. I know that my colleague from Erie-Lincoln, on our side of the House, led off the debate and was quite adept at making our points. I'm going to try to build on those somewhat.

This is a finance bill, but with a significant energy component, being that it is rebates for hydro. Let me begin by saying that we're going to support this bill, not because we think it's a great bill or a great idea, but because this is the only avenue we have at this time to ensure, for those people who are being hurt by the Mc-Guinty 55% hydro rate increases, that some piddly little amount of money gets back into their pockets to compensate them in a minimal way for the egregious way this government has been taking money out of their pockets since being elected in October 2003. So the only option we have is to ensure speedy passage of this bill. That's what is required so that these people can get some money back.

But let's just look at a few of the details of this bill so we can explain to the people of Ontario just how little it means to them. If you are a single person and you make up to \$20,000, you'll get a rebate. If you made \$19,099, your rebate would be \$1. I don't know exactly where they cut it off. It doesn't really say in here. It's a decreasing scale. It starts at \$14,000, and you get a rebate of \$60.

For every \$1,000 that you earn above that, it drops by \$10. So if you made \$19,000 as a single person, you would get a \$10 rebate under this bill. If you're a family, there's no distinction that I can see in this bill as to whether you're a family of two people in a household or 10. I know, coming from a family of 14 children—that's 16 people: two adults and 14 children—that this bill doesn't address that situation in any way, shape or form. But I know that when I was a kid, if you were the last one in line to get a bath on a Saturday night, that water could be pretty damn murky. Is it okay to say that? I don't know. It could be pretty dark.

**1850**

**Mr. Peter Kormos (Niagara Centre):** There was a lot of murk in there.

**Mr. Yakabuski:** There was a lot of murk in that water. Murky water is what we deal with here a lot, I can tell my friend from Niagara Centre. Murky water is what we deal with in this Legislature quite a bit, particularly since October 2003.

**Mr. Kormos:** Outright sludge, rather than water.

**Mr. Yakabuski:** Sludge. Yes, that's better. I was trying to be polite.

As I say, there's no distinction. So you're a family—we won't get to 14; that's a pretty big family today—with four children, a family of six; that's fairly common. We have four children. Now two have left home, but they come home for showers from time to time; you never know, on the weekend or something. A family of six: If your net income was \$34,000—bear in mind that this government has robbed that same family to the tune of about \$2,000 since taking office, in tax increases and increased fees etc—that family is going to be eligible for the grand total of \$10 from this government; at \$34,000 net income, \$10 to compensate them for the 55% hydro increases this government has foisted upon the people of Ontario since taking office in 2003.

Before I go much further, in the best spirit of the camaraderie of this Legislature, because I was away last week and I know this bill would have been the first bill brought forth by the once and again finance minister, the member from Vaughn-King-Aurora, Mr. Sorbara, I want to congratulate him on his reappointment to cabinet. I believe he's a very capable person, very intelligent, and I look forward to engaging with him here as the Minister of Finance over the next several months, but not for too long, not past October, 2007; I hope not.

Anyway, before I lose track, that's what they're getting, \$10 for a family of six—two adults, four children—

and \$10 is not enough for a movie ticket in Toronto, not just for the family, but just for one. So that's quite a deal.

The member from Erie—Lincoln talked about many things this government has done wrong. We don't have all night, so we can't touch on all of them, but I have to ask myself, and I'd like to ask you, would it not be more appropriate—the member for Simcoe—Grey mentioned this in his contribution to the debate—to simply give a tax break to these people? You're going to send out a rebate cheque? Hello? For \$10? This is just more ridiculous bureaucratic stumbling and bumbling on the part of this government. You're going to go through the rigmarole of calculating somebody's rebate cheque of \$10 and send it out? That's what's going to happen if you've got net income. There's nothing in this bill that stops that from happening.

If you're going to send out rebate cheques for \$10, that should say to the province of Ontario—if I was the government, which I'm not, but you should be standing up and saying, "I'm embarrassed that this is the best we could do in a piece of legislation here in Ontario." Let's get to work so we can send out \$10 rebate cheques? Good lord, what's it going to cost to send them out? Is it 50, 100? That's how government works in Dalton McGuinty's Ontario. Wow. Ladies and gentlemen out there in TV land, this is not a stunt. This is the truth or whatever that Liberal campaign ad would have been in the federal election. No, this is real: \$10 rebate cheques; \$5.50 or whatever to send them out. That's a real concern. More thought should have gone into that.

But why did they have to bring out something? Because they're compelled to do something for the people in this province who cannot pay the price of hydro under Dalton McGuinty's regime. They've got to do something. So this is what they decide to do, a rebate program, and they want to make sure that they get the credit for it.

I can tell you that people in my riding aren't going to be giving you much credit. They're not too happy about what you're doing to them and how you're putting your hand into their pockets so that they can't put food on the table in Renfrew county because of your tax increases.

Why has it come to this? It has come to this because of their absolutely failed and embarrassing energy policy. It started with Dalton McGuinty's promise. If I can find that here—if it takes me more than 10 seconds, I'll move on. This was Dalton McGuinty's promise in 2003. It was absolutely unequivocal. He didn't qualify it. He didn't say, "If we can," or "If we've got this or that." This is what he said: "The next plank in our platform is what we call Growing Strong Communities. That plank starts with our unequivocal commitment to shut down our filthy coal-fired power plants by 2007." That is the quote from Dalton McGuinty.

You see, now he knows and everybody else knows that he can't do it. But do you know what? One of two things is the case. Either he had no idea and completely had no understanding of what the reality was—but I have to believe that a man who had been here since 1990 must have had some idea of what was going on in energy and

what the realities are in Ontario with regard to building and approvals and everything else, or he absolutely knew he couldn't do it then and deliberately made this promise because he thought there'd be political mileage for him out of it.

If he did that, that is shameful, and I think the people of Ontario believe that he did, that Dalton McGuinty flat out knew what was going on and he simply lied to the people of Ontario.

**The Acting Speaker:** Take your seat. I'd like you to withdraw that.

**Mr. Yakabuski:** I withdraw that.

That's the problem I've got with this whole position that this government has taken on coal. It is so disingenuous. It puts me in a terrible position because I am told that I cannot stand here in the Legislature and tell a lie. But if I don't stand up and tell the people of Ontario that Dalton McGuinty was lying, then I'm lying myself, and that's the terrible—

**The Acting Speaker:** I'd ask you to withdraw again and not proceed with this line of debate.

**Mr. Yakabuski:** I withdraw it.

**The Acting Speaker:** Will the member take his seat? Just to clarify, I'm not going to tolerate it anymore, so don't test my patience.

**Mr. Yakabuski:** Thank you very much, Mr. Speaker. Clearly understood, but it certainly is a difficult position to be in.

The people of Ontario are certainly asking themselves these questions: "What can we believe? Is there anything that the government is going to tell us now with regard to energy in the province of Ontario that we can actually believe?" Every credible third party is telling us unequivocally that this government cannot and will not follow through on its commitments. There is not a single person, if they're truly being honest with themselves, in government or out of government, who believes that they can follow through on their commitments.

**1900**

Those plants will be running long after the election of 2007 because this government has done nothing to further its energy plan, because it didn't have one. They had one plan. It is always the same plan: "What do we have to do to win the election?" That's the only plan they had. It was not about supplying Ontarians with an adequate, secure supply of electricity. It was about winning an election. They spun those stories any which way they wanted to try to accomplish that. Now we've got ourselves into a box, quite a box, here in the province of Ontario.

The Premier calls himself, has appointed himself, Minister of Research and Innovation, but he refuses to spend even five seconds researching the opportunities out there with regard to coal gasification or sequestering of carbon gas.

**Mr. Bob Delaney (Mississauga West):** On a point of order, Mr. Speaker: The merits of coal gasification aside, under standing order 23(b)(i)—it has nothing to do with energy rebates—I respectfully request that the member



for Renfrew–Nipissing–Pembroke restrict his comments to the topic under discussion.

**The Acting Speaker:** I find the comments by the member for Renfrew–Nipissing–Pembroke to be within the context of debate on an energy bill. I will return to the member for Renfrew–Nipissing–Pembroke to continue.

**Mr. Yakabuski:** Thank you very much, Mr. Speaker. If that member interjects again, can you give me more time? He's known to do that and he's always off topic. This is very much about energy rebates and it is why we are forced to be dealing with this bill in this Legislature. The government's energy policy is what has dictated and determined that this bill is before this Legislature. What could be more topical I don't know. Anyway, back to the issue.

They've boxed themselves into this corner. The OPA report is due any day now, so the energy minister says, "Coming out soon, any day now." It was due on February 9. By June 9, I guess that would be 183 or 184 days and still no response. Given that the IESO is going to be releasing something that tells them clearly that you can't do this—you know, this so-called third-party independent agency, the OPA, appointed a Liberal-friendly fundraiser, to a \$500,000- or \$600,000-a-year job, or whatever it is, and then bonuses of \$200,000, to bring out a report. They're supposed to be independent, but the government says, "Uh, uh, uh. You can't talk about coal." Well, if we're not going to talk about coal when you're being told by the independent people that coal cannot be shut down in this province because you don't have replacements for it, then this whole OPA report has been a waste of time and a waste of money.

That's what we're getting with this government with regard to energy policy. So we're now going to respond to a report that does not talk about coal. The opportunities out there with regard to coal gasification and the sequestering of gas, as I began to speak to, are widely known. And the so-called Premier of innovation and research doesn't even want to look at it. He's closing the door without even looking at the opportunities there.

John Tory has been saying for two years that we have to talk about emissions. Well, last week, when the proverbial you know what hit the fan over their coal policy, the once, and now again, Minister of Energy started to talk: "We're focused on emissions." I'll tell you, the emissions that come off that side of the House, that's the problem that the people of Ontario are paying for: emissions of you know what. I can't say it, because you've already told me I can't, Mr. Speaker, but that's what is happening. The people continue to be victimized by this government when it comes to its very, very selective use of the truth, and here's what we've got out of that.

They sent out RFPs on these new gas plants so that they could move to replace coal. Well, they gave them to the lowest bidder, but those people weren't capable or competent. Do you know what happened to those RFPs? They signed the deal: "Yes, thank you very much." You know what? "Oh, sorry, we're bankrupt." "Oh, sorry, we

can't do it." "Oh, we thought we were going to be bringing in turbines from some of our bankrupt plants in the States," and this and that. You know what? It's not going to happen.

What does the government do instead? Hello. It signs a couple of one-off deals, 20-year power purchase agreements, and they're not even telling you how much that power is going to cost because they don't want the people out there to know what that power is going to cost them under this government's shady deals with producers when their backs are to the wall. They don't want people to know.

I asked the former Minister of Energy the question specifically: "Can you tell me what the price of the power agreements, the escalator clauses, the standby fees, etc. is going to be with regard to the Sithe plant here in Ontario? Do you know what the minister said? It was the Honourable Donna Cansfield then. "Yes, I'll get you that." It hasn't been forthcoming. And do you know what, Mr. Speaker? Hell will be frozen before I get it, because it ain't comin'. It ain't comin' because they don't want me to know and, ladies and gentlemen, they don't want you to know. They don't want you to know either.

*Interjection.*

**Mr. Yakabuski:** Oh, am I out of time? Oh, my goodness gracious. Sorry.

**The Acting Speaker:** Questions and comments?

**Mr. Kormos:** In around 10 minutes' time, Howard Hampton, the member for Kenora–Rainy River is going to be speaking to this bill, and you're going to be interested in what he's got to say, because he's going to tell you, amongst other things, that this bill has absolutely nothing to do—absolutely nothing, zero, zip, nada—with the escalating electricity rates as a result of Dalton McGuinty's and the Liberals' privatization, profiteering agenda.

This has nothing do with compensating people for being hammered—hammered: young couples with their growing children, seniors barely able to hold on to their homes, small business people once again. Whether it's the folks over at Celi and Presti with their little meat store, their little deli kind of meat counter or whether it's places like Pupo's, a little bit bigger, these operators are getting the daylight kicked out of them with electricity prices, and quite frankly, in an area like the grocery market, the profit margin is so minuscule; it's pennies and fractions of pennies. If you're one of these small mom-and-pop ethnic delis, there's no way to sell enough prosciutto to compensate for the increased overhead with the increased electricity costs. Dalton McGuinty talks about small business. He should be waving goodbye to small business, because that's what he's doing to small business people.

The Minister of Health, with his crocodile tears and his purported concern for seniors—it's seniors who are being forced out of their own homes that they have bought and paid for at least once and probably twice if they sent kids to university. Howard Hampton is going to



tell you that this bill is a fraud on electricity consumers and residents of Ontario.

1910

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I look forward to a couple of minutes to make some comments in respect to the 20-odd minutes from the member from Renfrew–Nipissing–Pembroke, Mr. Speaker, and I'll endeavour not to put you in the position of having to call me to order during my limited amount of time.

I'm pleased with one aspect of the member's comments in his 20 minutes; that is, that the opposition will be supporting the legislation. We think it's important legislation to be able to provide those who are in great need in our province with some modest relief, albeit modest, on a one-time basis, and do it as expeditiously as we can; expeditiously being this fall, with the assistance of the Canada Revenue Agency to take care of that in an effective fashion and in a very cost-effective way to deliver those rebates.

I must say I much prefer that strategy, using existing resource bases, than receiving a cheque for \$200 with Mike Harris's picture on it. Maybe the picture wasn't on it; it was probably on the letter that was attached to the cheque, but we know what that was about at that point in time.

There probably aren't too many of us—I know I'm not one of them—with a family of 14. Six might not be overly unusual. I have four children as well. So the member from Renfrew–Nipissing–Pembroke and I probably share something in the context of our overall family size at the very least.

You must remember that this legislation will put \$100 million into the hands of some 1.5 million Ontarians who have needs in our community. It will also be putting some one half million dollars directly into the hands of our aboriginal peoples who have high needs as well in our communities.

I'm looking forward to continuing the debate, seeing the debate come to a conclusion as expeditiously as possible and moving this item along, if it's adopted by the Legislature, to allow those funds to flow to those families who need them most.

**Mr. Norm Miller (Parry Sound–Muskoka):** I'm pleased to add a couple of minutes of comments to the speech from the member from Renfrew–Nipissing–Pembroke, who has been doing just a fine job as the energy critic for the PC Party. He pointed out how inefficient this bill is.

In the case of the rebates that would be mailed out, the maximum amount you would receive would be \$120 per family and \$60 for an individual. But there's a sliding scale, so you may have a case where an individual will receive a \$10 cheque in the mail. This legislation is for one year. As the member from Renfrew–Nipissing–Pembroke pointed out, there's been a 55% increase in residential electricity costs in Ontario since the McGuinty government took power. So this one-time rebate is not going to have a huge effect. I'm sure it will still be appreciated, but why not just give a credit on the electricity

bill versus the expensive and inefficient method of mailing out individual cheques, particularly where some will be for quite small amounts?

Also, what happens next year, when we have larger increases or more increases and it's necessary to help out those who can least afford to pay these fast-increasing bills? They're going to have to pass another bill, because this is one-time. Why didn't they pass a framework legislation that allows the same thing to happen next year and the year after and the year after, if necessary? It's looking very much like, in this low-supply, high-price policy that the government has taken on, it will be necessary next year again to be providing some sort of rebate for those who can least afford it.

**Mr. Howard Hampton (Kenora–Rainy River):** I listened very intently to the speech of my colleague from the Conservative caucus, and I must say I agree with him on one part of this, and that is that this really is an attempt by the McGuinty government to cover up the promise that was made that electricity rates were going to be frozen through the year 2006. In fact, I remember the promise very specifically that a McGuinty government would freeze electricity rates through the year 2006.

The member is quite right: For somebody who is lucky, they've experienced their electricity rate going up by only 35%. For the unlucky, their hydro rate has gone up by 55%. So people get their hydro bill now and go, "My God," and this is getting back to the McGuinty government. So this mailing out of a cheque in an election year—and I expect people will get the cheque, I don't know, maybe six months before the next election, maybe nine months before the election—is one of those old techniques. I won't say it's an attempt to buy votes. I would just say it's an attempt by the McGuinty government to get people to forget that broken promise to freeze electricity rates through the year 2006. That's what's really going on here. This is one of those nefarious exercises where you mail out a cheque in an election year and hope to buy some favour with it.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the member for Renfrew–Nipissing–Pembroke for his reply.

**Mr. Yakabuski:** Thank you to the members for Pickering–Ajax–Uxbridge, Kenora–Rainy River, Niagara Centre, I think—I lost track, but all of those people.

I do want to remind the members opposite that this is going to go to a voice vote tonight. I don't want to alarm you. There is going to be a vote tonight and I want you all to be prepared for the vote. Because you see, yesterday the Liberal caucus had a little problem with the vote. They had a problem with the vote, or they're saying of it—

*Interjection.*

**Mr. Yakabuski:** I'm not sure. The only thing we can go by with a vote in this Legislature is the raw results, and yesterday the Liberal caucus voted with the Progressive Conservatives and the NDP to support the opposition day motion that basically condemned the Premier for his handling of the crisis in Caledonia.



**Mr. Robert W. Runciman (Leeds–Grenville):** Mishandling.

**Mr. Yakabuski:** Mishandling of the crisis in Caledonia. I hope that whatever happens with this vote tonight, the Premier respects the will of this Legislature, because today, after yesterday's vote, he has clearly indicated that he does not respect the will of this Legislature. In spite of what he promised in 2003 and in spite of what he said in his throne speech about respecting the role of members of provincial Parliament and respecting the will of this Legislature, this Premier has scoffed at it. He called a vote in this Legislature a bit of "mischief." That's what we have sunk to from this government: a vote in this Legislature on a duly tabled motion called a bit of "mischief." Well, I hope that we are still above that in this Legislature, and when we vote on this tonight, let us honour the results and move forward.

**The Acting Speaker:** Further debate?

**Mr. Hampton:** I'm pleased to be able to take part in this debate, because there is a lot that needs to be said about this meagre bill. I, of course, believing that we should reflect on the last three years, want to point out again that it was Dalton McGuinty who promised hydro consumers across Ontario back in 2002 that he would freeze electricity rates through the year 2006. Since that time, the McGuinty government has raised electricity rates not once, not twice, but in fact three times. The latest increase was a 15% increase—15% just this spring.

As I said a few minutes ago, if you're a lucky person your overall hydro rate has only increased by 35%, but most people out there, most folks in Ontario who live in an apartment or a home, have in fact experienced a rate increase under the McGuinty government of 55%—a hydro rate increase of 55% during the time that Dalton McGuinty said he was going to freeze electricity rates. That's quite a gap, for someone to walk up to you and say, "I'm going to freeze your hydro rates for the next four years," and then immediately turn around after the election and increase your hydro rate by 55% in three years.

1920

That is bad enough. It's bad enough that hydro rates have gone from 4.3 cents per kilowatt hour, which is what they were in the fall of 2003, to 6.7 cents per kilowatt hour for those unlucky consumers today. That is quite a hike. And I would say, minimum wage hasn't increased by 55%. I don't see many people out there whose pay has increased by 55%. I can tell you that Ontario disability support plan benefits sure as heck haven't increased by 55%, and Ontario Works hasn't increased by 55%. So a whole lot of people, a whole lot of fixed-income, low-income and modest-income people in this province are really being hit hard by Dalton McGuinty's broken promise.

But it is in fact more serious than that, because it's not just a question of the hydro rate, what you pay per kilowatt hour, that has been increased, but as well, the McGuinty government has granted authority to increase the transmission rate. The transmission rates have been

increased significantly, and the distribution rate has increased significantly. And as we all know, when you increase those things, the GST and the PST that are on the bill increase accordingly. So the experience of most ordinary folks across Ontario, if they look over the last three years, is that their hydro bill has almost doubled. When you add up all of those increases—the rate increase for electricity consumed, the rate increase for transmission, the rate increase for distribution—and then you tack on the GST and the PST, what most people in this province have experienced is that they hold up their hydro bill now, they compare it to the hydro bill they had, say, in 2002 or 2003, and it has almost doubled.

For a lot of folks that's pretty serious stuff. You're trying to live on minimum wage and you've got to pay that kind of increase. For many people, you choose between, "Do I pay the hydro bill or do I put food on the table?" That's what it's come down to.

The McGuinty government is trying to advertise this as some sort of really compassionate action on their part. I want people to look at the numbers. Here is the reality of this so-called electricity tax credit. By the way, the tax credit isn't based upon your electricity consumption. If you're an unfortunate soul who happens to live in an apartment that's electrically heated or an older home that's electrically heated, your electricity bill has gone up more than double. It's probably up there in the triple range. But no matter; your electricity costs have gone up. This so-called credit has nothing to do with your electricity consumption. You could be someone who is really hurting, and that's not going to be reflected in this credit, because this credit has nothing to do with your hydro bill. This credit is simply going to be based on your income. That's where people ought to look at the numbers.

This credit will be \$60, a one-time cheque of \$60 for somebody who has an income of \$14,000 a year or lower. What does \$14,000 a year work out to? Assume somebody is working 40 hours a week for 50 weeks. That's 2,000 hours. For somebody working 50 weeks a year at 40 hours a week, that's \$7 an hour. So if your income is \$7 an hour, the McGuinty government, in their generosity and in their compassion, is going to send you a \$60 cheque. You know what? That won't even pay for one month's increase in the hydro bill for most people. It won't even pay for one month's increase, never mind twelve months of increase in the hydro bill. What's the minimum wage today in Ontario? The minimum wage is \$7.75. The McGuinty government is saying that their compensation figure is even lower than the minimum wage. But get this: Once your income gets to \$20,000 a year, a little bit over minimum wage, then they wipe out the credit. So as soon as your income is just a little bit over minimum wage, you don't get a cheque. Boy, that's compassion. That's real compassion.

Let's take a couple of two, because my experience is when somebody is working a low-pay job, both husband and wife have to work to make ends meet, so let's just assume that both are working. The credit for two people working phases out at \$35,000 a year. By my cal-



culatation—he's working, she's working, let's say they're both working 40 hours a week, 50 weeks a year. So they're both working 2,000 hours during the year. The McGuinty government is going phase out the credit for that family where he's working and she's working. They're going to phase out the credit as soon as you're making \$8.75 an hour. So as soon as he's making \$8.75 an hour and she's making \$8.75 an hour, the McGuinty government says, "Oh, you're making too much money. We're going to take that credit away from you." Let me tell you, that's compassion. That is really deep compassion. That's really feeling for somebody who's struggling on a low income and trying to choose between paying the rent, putting food on table and paying the hydro bill. This is such great compassion, I'm just overwhelmed by it.

Now, as usual, you have to keep your eye on the ball, and you have to keep your eye on the other side of the equation. Let me tell you, the other side of the equation looks like this: While people who are struggling just to put food on the table are going to get one measly \$60 cheque from the McGuinty government—and as soon as they're making just a little bit over the minimum wage, they're going to get no cheque—on the other side of the equation, the McGuinty government has hired more hydro executives than ever before seen in the history of the province, and they are being paid salaries and bonuses that are embarrassing.

I just want to give a quick comparison. If you go to Quebec, Hydro-Québec is a big corporation. Hydro-Québec is the generator, the transmitter and the distributor of electricity in Quebec—a big operation, very big, worth billions of dollars a year. Do you know that the head of Hydro-Québec gets paid less than \$500,000 a year? And that person runs the whole show. Similarly, BC Hydro—big operation. They do the generation in the province, the transmission, the distribution. They run a very big operation. The head of BC Hydro gets paid less than \$500,000 a year, and that person runs the whole operation. Manitoba Hydro, again, a big operation. They do the generation, the transmission, the distribution for the whole province. The head of Manitoba Hydro gets paid less than \$500,000 a year.

Well, do you know what the McGuinty government has done? They have created a multi-headed hydro-electricity monster in this province, so now you've got Ontario Power Generation, you've got Hydro One, you've got the Ontario Power Authority, you've got the Independent Electricity System Operator, you've got the Electricity Financing Corp., you've got the electrical standards and safety organization, and then they're going to add something else. They're going to add the so-called metering entity. You know what? Just about every one of the people who heads these organizations is up there in the million-dollar range.

1930

Let me give you an example: Tom Parkinson at Hydro One. At the same time that the McGuinty government is going to mail out this \$60 cheque to really low-income people—and as soon as people make a little bit over the

minimum wage, they're going to wipe out that cheque altogether—at the same time that that's the attitude of the McGuinty government to people who are struggling to pay the hydro bill, Tom Parkinson at Hydro One gets a salary of over a billion dollars a year, and this year they gave him a \$500,000 bonus. Imagine that.

**Interjection:** Is that a million or a billion?

**Mr. Hampton:** A million. You're making a million and we're going to give you a \$500,000 bonus. But get this: They also subsidize his mortgage. God, I think if you're making a million and a half a year, you can afford to pay your own mortgage. Obviously, the McGuinty government feels that they have not compensated him enough.

It doesn't end there. The top guy at Ontario Power Generation is close to a million dollars a year. Dalton McGuinty's former fundraiser, Jan Carr, who suddenly and mysteriously became the head of the Ontario Power Authority, he's up there in the close-to-\$800,000 range. Then you go to the IESO, the Independent Electricity System Operator; same thing. You go over to the electricity financing operation; pretty much the same thing. You go over to the Electronic Safety Authority; pretty much the same thing.

You say to yourself, "My God, all these guys are getting rich off the hydro bill." You've got all kinds of people across Ontario who skimp on the food bill and the clothing bill to pay the hydro bill so that Dalton McGuinty can pay all of his well-connected fat friends.

It's amazing—like Mr. Parkinson. You know what his claim to fame was last year? His claim to fame was that he used the company helicopter to fly back and forth from his office to his cottage. Do you know what I think that merits? I think that merits a docking of the pay, not a \$500,000 bonus payment. His other claim to fame? When Ontario's electricity system, especially the transmission system, was very fragile, what did he do? He locked out the engineers whose job it is to plan and to coordinate the transmission system and improvements to the transmission system. At a time when people were having brownouts, when the Independent Electricity System Operator was having to reduce voltage because the transmission system couldn't handle everything, Tom Parkinson had the hydro engineers out on the sidewalk, locked out. And for that he got a \$500,000 bonus.

I say to people across the province, you need to see the whole picture here. This one-time \$60 cheque isn't going to compensate anyone for the incredible increase in their hydro bill that they see. It isn't going to allow anyone out there to pay even the one month's increase in the hydro bill, never mind the 12 months' increase in the hydro bill. For somebody who makes a little bit over the minimum wage and maybe gets a \$10 cheque in the mail, that's almost an insult.

I'll tell you, when you get that \$10 cheque in the mail from the McGuinty government, folks, think about Tom Parkinson, whose claim to fame is that he takes the Hydro One helicopter back and forth from his cottage up there in Muskoka to the office; Mr. Parkinson, who, with



his \$1.5-million-a-year pay-packet, can't afford to pay his own mortgage. He has to have a subsidized mortgage. You think about that guy. You think about Jan Carr, who used to do fundraising for Dalton McGuinty on Bay Street, who is now there at the Ontario Power Authority drawing down his \$800,000 a year, and you're paying for it on your hydro bill. We're all paying for it under the hydro bill.

Just to give you an idea of how outrageous this has become, do you know where all the 10 highest-paid hydroelectricity executives in the country are? They're all here in Ontario. They're the people who are getting rich off the hydro bill. They're the people who are getting rich off that 55% increase in hydro rates and that doubling of the hydro bill that people are paying.

So part of this \$60 cheque is really trying to massage people a little bit, trying to get them to feel good about this, to feel good that they're paying for Tom Parkinson's helicopter rides back and forth to his cottage in the company helicopter, to feel good that Jan Carr used to go up and down Bay Street flogging for money for Dalton McGuinty and now he's getting an \$800,000-a-year pay-off from Dalton McGuinty. That's what this little cheque in the mail is all about.

Let's get right down to it. We're now into the election year. We're basically a year and a few months away from the next election. When this cheque comes out, when people finally get this cheque in the mail, we'll be in the election year. We'll be maybe seven months, maybe eight months away from the election. That's what's really going on here. This is the old, "We broke our promise; we hit people over the head with hydro bill increases; we took advantage of them and of their wallets; at the same time, with the \$500,000 bonuses, we paid off our friends like Tom Parkinson," and now the McGuinty government thinks they'll send out this little cheque in the mail in the six or seven months before the election and massage all that and hide it.

Nothing else useful is happening here. Sending somebody a \$40 cheque in the mail or even a \$60 cheque, when their hydro bill increases, measured over the year, come to \$700 or \$800, is no help. It is almost an insult. It is almost rubbing salt in the wounds. I can just imagine somebody having to choose every month between, "Do I pay for the food? Do I put clothing on my kids' back? Do I pay the rent or do I pay the hydro bill?" Getting a \$40 or \$50 cheque in the mail from the McGuinty government is not going to do much at all. It is very much like rubbing salt in the open wound.

So I say to the government, if you really want to do something, compensate people for even half of the pain you've caused them. If you could come halfway toward helping lower and modest and fixed income people pay the hydro bill every month, that would be doing something, but this is really a rather cynical exercise.

**The Acting Speaker:** Questions and comments?

**Mr. Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate on the low-income electricity relief. In my constituency and I think throughout the province, people

expect a provincial government that's prepared to do certain things, and some things are very important to them. Some of those things, obviously, are hospitals, schools, universities, clean drinking water, but one of the things that's most important and has been extremely important to the Ontario economy over the years has been a safe and affordable supply of electricity, of energy.

To hear some of the comments that are being made after seeing some of the shell games that were played in the past with hydro bills—previous governments didn't have the courage to put the true costs of electricity on the hydro bill and instead hid them in debt, instead drove young children who hadn't even started to pay taxes—they decided they were going to add it to the provincial deficit and have them pay for it in the future. They didn't have the courage to step forward and give the facts to Ontario citizens. You look at what the previous government did. Mike Harris simply couldn't run a hydro system. Blackout Ernie proved—he was in the southern states, I think. All the lights were out in Ontario. I don't know if it was Phoenix, Arizona; somewhere. I don't know where it was.

Appointing friends, family, Tory staff to Hydro One; the amalgamation of the city of Toronto; selling the 407—if I've ever seen Ontario taxpayers short-changed, it was on the sale of that highway. And the downloading to municipalities is something I could just add to that.

We are moving to a reliable and affordable supply of electricity that is priced realistically. The opposition party is obviously very pro-coal. We know what coal is doing to this environment and it's something we'd like to see stopped.

Speaker, thank you very much for the time.

1940

**Mr. Yakabuski:** It's amazing; I listened to the member from Oakville and it bore no resemblance to the wonderful address by the leader of the third party, the member for Kenora-Rainy River. So I'm not sure what I'm responding to.

But I'll tell you one thing: I am very concerned. This is what we get from the Liberals. They're talking about back in whenever, but they don't want to talk about what Ontario faces in the future. Shamefully, he called the former Premier of this province Blackout Ernie. Well, we all know he had nothing to do with that. It was a terrible, cascading series of events. But I can tell you, we will have blackouts in this province under this regime if they follow through on their policies. Thankfully, we know that they won't follow through on their policies, because they haven't done a single thing that they said they'd do so far. So it is wonderful that we know we can't trust them and they don't tell—do what they say they're going to do. I almost slipped there.

That's the good thing about it: This government will do something other than what they're telling us they're going to do. They're back and forth on this coal thing. Should coal be shut down or should it not be shut down? The shameful thing is, they talk about coal being dirty, but the Minister of Energy did mislead the people of



Ontario when he said to the press that they have installed—

**The Acting Speaker:** I would ask you to withdraw that.

**Mr. Yakabuski:** I withdraw that, Mr. Speaker.

The Minister of Energy said in a scrum—

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** On a point of order, Mr. Speaker: For the third time he has done something that is clearly and absolutely unparliamentary. Twice he was warned by the Speaker. If honour or integrity are to mean anything in this House, then there has to be a consequence for breaching the rules—

**The Acting Speaker:** Thank you for drawing that to my attention, but I don't find that to be a point order. I'll return to the member for Renfrew–Nipissing–Pembroke to conclude.

**Mr. Yakabuski:** The Minister of Energy said in the press, when he was trying to defend what this government has done, that they've installed scrubbers and SCRs—mitigation equipment on our coal-burning units. Well, since this government has been elected, they have not done anything, yet they've entered into a suit against American companies in the States for failing to do exactly that. How disingenuous is that—

**The Acting Speaker:** Questions and comments? The member for Niagara Centre.

**Mr. Kormos:** Thank you kindly, Speaker.

Mr. Hampton is going to have a chance, of course, to give a two-minute response in just about two to four minutes' time. I apologize to folks who are watching, because at 8 o'clock prime time television kicks in. I don't know what's available to you tonight—reruns of the Sopranos or what have you.

**Mr. Yakabuski:** No, Hockeyville—Barry's Bay, 8 o'clock.

**Mr. Kormos:** There you go: Barry's Bay, 8 o'clock.

Mr. Hampton talked about the indignity of getting the \$10 cheque. People are going to be outraged. The paint is going to peel in home after home. I can imagine some of the endorsements that are going to be made on those cheques before they sign their name: "Dalton, put this where the moon don't shine—Jane Doe," and give it to the teller at the bank; "Dalton, you scammed us again"; "Dalton, I've been taken to the cleaners before but never so ruthlessly", signed, "John Doe." Give it to the teller and get your 10 bucks.

Quite frankly, what an innovative, clever way for people to send a message back to the government. Again, I'm not advocating anything vulgar, profane or obscene, but there are some very pithy two-word exclamations that I am sure people are contemplating, even as we discuss this: pithy, old, ancient, very Anglo-Saxon, very versatile words in the English language—verb, noun, adjective; one of those incredibly versatile words. But I can see people getting the ink marker now with those two words, four letters and three letters—four letters up, three letters down—and then "John Doe," and give it to the teller and

cash the cheque. I'm going to have a chance to speak to this. I'm looking forward to it.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I'm pleased to stand and add a few comments to the debate here regarding Bill 117.

Simply, what this bill does is provide relief to lower-income families. When all is said and done, there are people out there—I can think of people in my riding of Scarborough Southwest, especially some of the seniors, some of the people who are widows or widowers—living by themselves. They're living on a pension or they're living on their spouse's pension. What we're trying to do with this bill is to provide some kind of relief to help them, to give them some assistance with their income. So \$60 for a single tenant or homeowner whose net income for 2005 does not exceed \$14,000—I know that to some of us that seems like nothing. To some of us it's basically a little bit of money. But these people that I speak to, some of the seniors that I speak to, live on \$14,000 or \$13,000 a year, and if we can help them by providing some kind of relief on their energy bill, then we're doing it. At least we're starting to provide some kind of relief.

This government is the first in many, many years to raise the minimum wage. We've raised the minimum wage. We've assisted those most in need of assistance. The previous government did not do that, and we've continued to try to assist those who are most in need, because if we can't help those, then we can't help other groups, such as those who are better off or those who are in other positions in our society.

So I'm pleased to be able to say to Mrs. Smith or Mr. Jones who lives by herself or himself somewhere in Ontario or somewhere in Scarborough Southwest that we're helping you; we're giving you some kind of rebate. It may not be the largest amount of money, but it is a significant amount to them. I'm happy to stand here today and support this bill.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the leader of the New Democratic Party for his two-minute response.

**Mr. Hampton:** I thank the members on all sides for their input. The fact remains, and I know the government is embarrassed by this, that someone with an income of \$7 an hour, working 2,000 hours a year—in other words, 50 weeks a year—which works out to \$14,000 a year, is only going to get a cheque of \$60. So for somebody working for less than the minimum wage—I thought that was illegal, but obviously in Dalton McGuinty's Ontario that's not illegal—the most the McGuinty government can spare is \$60.

**Mr. Kormos:** That's a buck twenty a week, Howie.

**Mr. Hampton:** As my colleague from Niagara Centre points out, that won't buy you a cup of coffee a week.

I just want people at home, when that \$10 cheque arrives in the mail or that \$20 cheque arrives in the mail, to be aware that the McGuinty government is sending a \$500,000 cheque to Mr. Parkinson at Hydro One, and that's just his bonus cheque. That's not his regular cheque; that's his bonus cheque. And just remember that



after Mr. Parkinson, the McGuinty government has a whole bunch of other folks at the gravy train with million-dollar salaries who are getting paid off the hydro bill, and those with \$1.1-million and \$800,000 salaries getting paid off the hydro bill.

This exercise is nothing but the attempt by the McGuinty government to mail out a cheque six or seven or eight months before the next election.

**The Acting Speaker:** Further debate?

1950

**Mr. Phil McNeely (Ottawa–Orléans):** The \$60 or \$120 has been mentioned a lot tonight: \$60 for a single owner or tenant who makes \$14,000 or \$120 for a family that makes \$23,000. That takes out of the treasury about \$100 million. This is an important contribution that's targeted to those who need this adjustment as rates of all energy increase. These are important dollars. On an average bill, I think for a small home, we're probably talking \$1,000. That's what it is in Orléans, so we're talking somewhere around 10% or one month on the year. I think that's important.

In Orléans, we have Hydro One that services part of our city and Hydro Ottawa that services the other 40,000 clients of Hydro One within the city of Ottawa. This was a holdover from the time that the transition board, when they were bringing together the 13 or 14 municipalities into one city, failed to give us one utility in Ottawa. So we have two utilities, and two utilities in Ottawa–Orléans. About 20,000 of our clients are with Hydro One and they pay about \$100 more than Hydro Ottawa's. You say that \$100 is not very important, but it is very important.

There's a petition going around now in the Hydro One part of the city that says they want to be brought into Hydro Ottawa. It's based on that \$100 discrepancy between the two hydros, because really Hydro One provides good service, as does Hydro Ottawa. We had difficulties with Hydro One. They put in \$500,000 in the Orléans area in the Bilberry Creek transmission station to make sure that the power was good. So we're happy with Hydro One and with Hydro Ottawa, but it's that \$100 difference that is the real subject of people saying, "Well, it's one city, one service, we should be getting."

I don't think we can underestimate the value of \$100 million targeted to people who really need the assistance as we move forward. These are significant credits that are targeted to low-income people. Research has shown that they use an inordinate amount of electricity as their method of heating, so this is important.

The emergency energy fund is also part of our government's program. I think it's up to \$4.2 billion. That's for people who get into circumstances where they can't pay that hydro bill, and that has been a very popular program.

We had talk about coal earlier. Coal plants certainly have to be gone. When we see that China is building two coal plants per month, that's 24 new coal plants per year. There are 1,000 on the drawing board within this planet Earth. We have 50 in our airshed just south of us, and most of them are going to be based on just the old coal.

It's adjustments being made for big business, and we're not going to see a reduction.

At least in Ontario we've taken the leadership to show that 5,800 deaths a year in the province from poor air quality are important. We've done the studies to show that air quality is extremely important. If you look at the economics, the people who die, the people who have to be rushed to hospital with asthma attacks etc., if you take all that into consideration, we're going in the right direction, and we're going to show the leadership, hopefully to an enlightened leadership to the south and an enlightened leadership in China and India, as they proceed to modernize and what they think is modernizing. But it puts us on a collision course with planet Earth and the quality of air that we breathe. A thousand new coal plants on this planet: I think anyone who envisions that is not looking to having children, doesn't feel that there are going to be grandchildren, and we're certainly not planning for the future.

I was very disappointed in the withdrawal from Kyoto, or at least it appears that we're withdrawing, as a country, from Kyoto. I think it's extremely important that we continue along the lines that were set and that we conserve and show leadership to this world.

So these dollars are important. They're important as we start paying for electricity. When we go and gas up at the service station, we pay the real price of gas. When we heat with oil, we pay the real price for oil. When we heat with gas, again, we pay the real price for gas. Why is it that historically we've run up \$40 billion? That's \$10,000 per family of debt, and that became stranded debt under successive Tory and NDP governments over many years. I think we have taken the right way. There is no point in trying to charge the price of electricity to our children and our grandchildren. We have to face the music and pay the price that's there. The deal with Manitoba was cancelled, where we could have got low-cost energy from hydro. Eight years of no more generation, actually a reduction in generation, and we're paying for that.

We have an infrastructure deficit, a fiscal deficit, an education deficit and a health care deficit. We have to start building, and that's what the program for hydro is that we're coming forward with. If you let your infrastructure go, you're going to pay. We're putting it on a pay-as-you-go system. There's an adjustment for the people who really need that adjustment. It's \$100 million that is very well targeted. I think it's the best direction to go for our province. I think we're doing the right thing with this.

Again, if we're going to do something meaningful and get rid of coal, which we're going to do—we're going to be the leaders; we're going to show to the rest of the world. We're going to have to show them that airshed—over 50%, I believe, of the particulate in our air comes from the south. We're going to have to show them in that court case that has been launched, with the co-operation of many states. We're going to have to show that that's where we have to go in the future. We have to go thinking that we are going to have children, we're going to have grandchildren, that we're going to have air quality



that's going to support the life in 50 or 60 years. I have a grandchild coming in September. That child will live to 2070 or 2080, probably. We see what is projected for air quality if we do not change it—what a change we're going to have in this planet Earth.

The leadership on the coal can't be questioned. It's costing money to move forward, but if we look at the health care costs and we look at those premature deaths, we look at our future. It is the only sane way to go.

So I'm very pleased to stand up here tonight saying that we're going on a paid policy for electricity. We're going to give this \$100 million worth of relief for the people who need it, and we are moving forward.

**The Acting Speaker:** Questions and comments?

**Mr. Kormos:** I expect I'll have an opportunity to speak to the bill in relatively short order. It is going to be a delight for folks across Ontario, some of the poorest people in the province, the lowest-income earners, the people suffering the most, to see the creative responses that they have to this scam. Again, I'm just so enthusiastic about the manner in which folks will use the back of those cheques as a place to make a political statement, as a place to express their anger for a government that treats them with outright disdain. One time only—one time only. And oh, so conveniently before the next election—one time only.

Now, the problem is that the McGuinty government is showing how disdainful it is of those lowest-income people in the province by actually assuming that somehow they should be grateful to the point of being all teary-eyed: "Oh, look honey, here's the cheque for \$10." Right? "Oh, by God, now we can buy that jug of milk. We won't be able to buy one next week, because the cheque's one time only. We don't get one of these every week; we only get it once a year." I can just see it now: "Honey, the cheque's in." The excitement as trembling hands open the envelope, and it ends up being for \$12.75. But those same trembling hands will be firm with when they endorse the back of that cheque, because they'll cash it, if only to ensure that they use the endorsement as a means of sending a very clear message to McGuinty and the Liberals as a preface to October 2007.

2000

**Mr. Bas Balkissoon (Scarborough—Rouge River):** I'm very happy to join in the debate on Bill 117, the implementation of the Ontario home electricity relief program. I see this as a good strategy by this government. To be honest with you, I see it helping the low-income people in my riding, especially the seniors who are retired, probably living alone and have fixed incomes and they have to deal with the increase in electricity prices. This will definitely add to all the other programs that we, as a government, have implemented over time to assist seniors. I'll tell you, we've actually dealt with the property tax credit and we've increased that rebate by 25% over the last two years. That adds significantly to seniors who are on fixed income to help to pay their bills.

I listened to some of the members who spoke before me, how strongly they're against what this government is

doing, how adamantly they're against this \$60 and \$120. To them, it will do nothing for those people who will receive it. It's interesting to note how much they don't want this. I'm just sort of confused. Are they going to stand up and vote against it? Would they like a recorded vote on this particular bill?

The other thing is, there are complaints that we're using this as an election ploy. I would love to be with some of those members when they go door to door in the election and tell their seniors that they voted against it, they voted against giving their constituents a refund. It'll be interesting to see how this whole bill is voted on, because I think it's good for the low-income people. I think it's good for what the government is doing and I'm here to support it.

**Mr. Runciman:** I think the previous speaker raised a good point in terms of the incorporation of the word "relief" in the title for this legislation. Certainly the hard-pressed residents of this province need some relief. They've seen, on average, a 55% increase in hydro-electric bills in this province since the Liberal government took office, this despite one of the many promises that they've broken to maintain a hydro rate freeze for a period of time. That was just one of the 50—I think at the last count 50 or 55—of the 231 promises they made to the electorate to get elected that they have broken in their almost three years in office.

The impact of these rates and the promises that they've made, which they know in all honesty they cannot keep with respect to coal generation, is the impact on the economic well-being and the future of this province. We're hearing stories that later this week the C.D. Howe Institute will release a report with some very concerning news with respect to the economic future of this province, referencing a whole range of issues, including the levels of taxation on business and investment in this province but also highlighting the very serious concerns about the whole issue of energy supply, dependability of supply and affordability and what that impact is going to be in attracting new investment to this province, maintaining what we have now at this point in terms of the question of being able to compete with some of our manufacturing sectors, being such significant consumers of power in terms of the generation of their own products. I think this is a major concern which this government has failed to address, one of many they have failed to address.

**The Acting Speaker:** We have time for one last question or comment.

**Mr. Flynn:** It's a pleasure to rise again. I think people in Ontario realize that they have some choices. It's interesting to hear some of the options that are being provided by the various parties tonight. We remember the days, and it's not too long ago, when we had schools closing, we had hospitals closing, we had an electricity system where we were starting to get to the point where we couldn't rely on it. It was something I don't think people in Ontario really wanted.

**Interjection:** It was a mess.



**Mr. Flynn:** It was a mess. It was chaos that was going nowhere.

What we've been able to do is to turn the system around. We've been able to implement a system now that's affordable and reliable, and people are realizing that they will begin paying the true cost of electricity. When you talk to the average Ontarian, they agree that that is a good thing, as long as the supply is reliable, as long as it's affordable. They don't want it added to the provincial debt, like the previous government did. They don't want people to play games; they want people to be honest and up front. They want to have a hydro bill that they know is actually the true cost of electricity. That's what we're doing here. We know that by doing that, it may have some impact on some of the low-income families in this province.

As a government, what we're proposing tonight is that we set aside \$100 million in the provincial budget and use that \$100 million to assist 1.5 million Ontarians in paying their hydro bills. If some party here can find something wrong with that, if some party here can find a reason to vote against that, I'd be very interested in hearing that in the rest of the debate.

We're doing the right things. We're securing the economic future of this province by securing the hydro system, and we're assisting those who are most in need so that when the time comes to pay the hydro bill, there will be some assistance that did not exist under the Conservative Party, did not exist under the NDP, but will exist under the Liberals.

**The Acting Speaker:** The member for Ottawa—Orléans has two minutes to reply.

**Mr. McNeely:** I wish to thank the speakers from Leeds—Grenville, Oakville and Scarborough—Rouge River, I believe. I think the speaker from Oakville said it very well, because it is \$100 million. It is a significant contribution to assisting those who need it. It's well targeted. It's being done through the Income Tax Act, to make sure that it's done economically and that it's going to target the right people. That's what the research has shown. It's \$100 million for 1.5 million Ontarians. It's important as we move ahead to pay-as-you-go electricity rates in this province for the first time.

I think we're going in the right direction in this province. We recognize the importance of the environment in this province. We're going in the right direction. It's costing dollars, but in the long run, if you look at health care costs, if you look at the costs in suffering with the number of smog days on the rise—I think there's a smog conference in Toronto this week. I think two of our ministers are going to be there. I don't think the news is going to be good for the future, because we are so dependent on the airshed that comes from the Ohio Valley to the south. That's where we have to show that leadership. We have to move ahead with clean electricity and try to help those who are in most need. That's what this bill is all about. It's to help in that transition. There will be 1.5 million individuals or families who will be helped through this. It's the best way to go. It's the right

way to go. I'm very pleased to be part of this government leading the way.

**The Speaker:** Further debate?

**Mr. Kormos:** I'm not sure, but I think this debate may well be wrapping up this evening.

This bill has the mean-spiritedness of the jerk who leaves a two-penny tip on the table for the waiter. This bill has the disdain and the arrogance of the fellow who will flip a panhandler a nickel and say, "Here. Don't spend it all in one place." This bill should be called the Charlie Harnick bill, or, if you'd prefer, the Rob Ford bill. Take your pick—Harnick, Ford—we know what they've got in common, and I can tell you this: Harnick's not a heavy drinker.

**2010**

The bill has nothing to do with households' exorbitant electricity rates. What did it climb, 50%, 55% since the Liberals took power—three years' time. I don't doubt the sincerity of my friend over here, but to suggest that somehow electricity rates in modest homes are less than a thousand bucks a year—I may have misheard you. You see, he's quite right. It's some of the lowest-income people who are in apartment units that have electric baseboard heat. The reason why is because it's cheap to install, but it's expensive to maintain and to operate. Rich folks don't have electric baseboard heaters. If they do, they don't care because they're rich, right? They'll pay whatever it takes to pay for the electricity. But they've got apartments in houses that are heated with a nice steam boiler, or you get one of those Trane high-efficiency gas furnaces. That's not inexpensive, but it's a far more economical way to heat than electricity is.

I dare say that folks who are living in some of those leaky apartments—because if you're living in an apartment building that isn't quite well maintained, it's leaky too. Heating those with electric heat, using an electric stove and if they're in a house or an apartment that has an electric clothes dryer in it, I dare say—and I'm not sure; all I know is what I pay for electricity down where I come from in my old house. I know what my neighbours pay in their old houses and I know what folks pay who come into our constituency office, especially the ones who have had their electricity cut off because they can't afford it; they simply couldn't put the money together.

I checked section 8 of the Income Tax Act because the reference is to what constitutes income for the purpose of taxation as in section 8 of the Income Tax Act. What's remarkable is that I'm convinced that all of those folks on ODSP and social assistance aren't going to see a penny under this legislation. There's a whole whack of them out there, aren't there? They're suffering; we know that. This government, with the noblesse, again, and the disdain of a jerk who'll flip a nickel into a panhandler's cup and say, "Don't spend it all in one place"—oh yes, ODSP recipients enjoyed a 3% increase. They're literally further behind, even with that 3% increase, than they were three years ago when the Liberals first got elected, if you assume a modest 1.8% or 2% increase in the annual cost of living.



The sad reality is there a lot of folks out there with incomes in the ranges being contemplated by this bill. The bill has nothing to do with electricity costs. The bill ignores the family that makes \$30,000 but has three or four kids and maybe one of the grandparents living with them. You see, it doesn't allow for that variation, for the fact that that family is suffering financially a heck of a lot worse than a mere two-person family is.

I suppose it's the crassness of it. It is impossible to avoid the inevitable conclusion that this one-time-only—and "Oh, by the way, by gosh, by golly, we're going to have to mail you the cheque because it's after income tax time for the year 2005 income tax returns to be filed in 2006. Son of a gun, if we're not going to have to mail you the cheque."

I don't know who the pinheads were in the brain trust who recommended this proposal as some sort of life ring for a government that's suffering in the polls. I don't know for the life of me who it was that did it, but I do know that it's probably going to backfire, that it's going to be more likely to aggravate Bud Wildman, former MPP and leader of the Ontario New Democratic Party, who inappropriately demonstrates his presence in the visitors' gallery. Howdy, Bud.

I tell you, this is going to be the pebble inside your shoe, the itch down the middle of your back that you just can't reach. This is going to be more aggravating than a hot, hot, hot, humid southern Ontario day. This is going to tick off people more than any swarm of black flies from northern Ontario ever did. This is going to get people just snapping and barking and spitting nails, because when they get the cheque, it's going to remind them of the 55% increase in electricity rates since Dalton McGuinty and the Liberals got elected. They're going to reflect on the fact that there is an effort on the part of this government to buy them and to buy their vote for 20 bucks, or maybe for only 10.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Thirty dollars? Wow.

**Mr. Kormos:** Mr. Bradley says, "Thirty dollars? Wow," and I can just hear the "Wow, honey" in households across Ontario when you've got a family where husband and wife, both parties, are working hard, working at a minimum wage job, still for less than \$8 an hour. I can just see, like Mr. Bradley says, "Honey, wow. Look, a cheque for \$10." I can just hear it now.

Oh, yeah, that's big. Here are people who have been scraping. Here are people who have been sacrificing. Here are people who have been doing without. Here are people who aren't able to make ends meet on a monthly basis. Here are people whose lives have been rolled back into not just an earlier generation but two generations earlier, whose lifestyles are more reminiscent of the dirty thirties than they are of the 21st century. Here are people who just for the life of them are going to see the glossy ads by the provincial government—oh, look at this one, Runciman—glossy ads, glossy two-pagers in high-priced, high-circulation magazines. They're going to look at

those and say, "That ad alone has got to cost a couple of hundred thousand dollars."

*Interjection.*

**Mr. Kormos:** "A hundred million dollars," some Liberal backbencher says; \$1.2 billion for the banks and the insurance companies. "A hundred million dollars," you say, for the poorest folks in this province, the hardest-working, lowest-income earners, yet you've got \$1.2 billion in new tax cuts for the banks and the insurance companies, the same banks that are reporting yet once again record-high profits, and the same banks that nickel and dime you to death, the same banks that impose new fee after new fee after new fee and charge you every time you walk in, every time you walk out. They charge you for keeping your money in their bank. These are the same banks earning huge multi-billion dollar profits, who make it by charging you for keeping your money in their bank.

Then you've got the insurance companies. Oh, yeah, cry me a river. They've got the wheelbarrows full of dough, full of your bucks, because the rip-offs haven't stopped and this government's in—\$100 million for the poorest people in this province, and \$1.2 billion for banks and insurance companies? That's Dalton McGuinty's sense of fairness? That's Dalton McGuinty's sense of justice? Don't forget, the tax cut for the banks is forever, and this is one time only.

So as I say, I am looking forward to the minister or whoever it is going to be that day standing up and saying, "By the way, the cheques went out," because I want to encourage people to use the back of those cheques, when they endorse them, to send a message to the government. It could be a little drawing perhaps of the old cartoon, union paper after union paper, of just the screw being turned. It could be something more basic and fundamental, perhaps even bordering on vulgar, expressing your understanding of what the Liberals and Dalton McGuinty are doing to you with your electricity rates, with your gasoline prices, when the bill has nothing to do with compensating people for the cost of electricity. It's one time only; the cheque is in the mail.

**2020**

Once again, I'm just reminded—Mr. Bradley knows this story—about the world's three greatest lies: "The cheque is in the mail," "Your money cheerfully refunded," and, "Hi. I'm from the government and I'm here to help you." Here we are again: "The cheque is in the mail," and you've got the government going to exploit that. There's going to be a photo op: There are going to be backbenchers with their pompoms doing the cheer-leading and there's going to be a happy couple—you have to wind them all up to get them to look happy—and there will be a photo op of handing them the cheque, but they'll be blinking in semaphore, "We've been tortured. They made us look happy."

This is a shameless thing. Which backbenchers in the government caucus got up and said, "No, guys, you've got it wrong: \$100 million to the banks and insurance companies; \$1.2 billion for the poorest people in



Ontario"? Which one of you argued that point? Which Liberal backbencher stood up in caucus and said to the Premier, "No, Premier, you've got it wrong. This must be a typographical error. You take \$100 million and give that to the banks and the insurance companies; the \$1.2 billion you use to give to the poorest people in the province"? Who said that? Not one of them. Did anybody even make the argument theoretically? Not one of them. Good grief. What a shameful performance. I would have at least expected to have been told about the debate that took place; I would have at least expected to see one or two from your ranks who would have championed the plight of the poorest people in this province, including those minimum-wage workers still earning less than \$8 an hour in 2006, never mind hospitality workers—\$6.75 an hour; that's what it is, isn't it? You're the kind of guys who leave a two-penny tip.

I want people, if and when they get those cheques, on top of the endorsement of their names, to say what they really feel in their hearts about Dalton McGuinty and the Liberals. I want you to exercise your freedom of speech, as long as it ain't contrary to the Criminal Code—I don't want you to threaten anybody physically—but I want you to be very open about the screwing that you know you're getting from Dalton McGuinty and the Liberals at Queen's Park. I want you to express your view about how it is that not a single government backbencher stood up in the Liberal caucus and argued for low-income people, saying, "No. Give the \$1.2 billion to low-income people, and the \$100 million that you say you're spending on this self-promoting campaign—give that to banks and insurance companies." Some \$1.2 billion for the banks and insurance companies. Then we've got Tom Parkinson with \$1.5 million in annual salaries, plus he's earned his wings in the course of being top honcho there. He's halfway to getting his helicopter pilot's licence.

What a bunch of gutless wonders, the Liberal backbenchers—not one of them speaking up for the poorest people in the province; not one of them saying, "Give the \$1.2 billion to poor folks and the \$100 million to the banks and insurance companies." As I say, income, under section 8 of the Income Tax Act—it strikes me that not a single person on social assistance or ODSP is going to be eligible under oh-so-modest a proposal but oh-so-blatant an effort to buy people's votes and oh-so-expensive a photo op.

Think about this: That \$100 million—I'll take people's word for it for the moment—is going to be a taxpayer-funded photo op that's going to be flogged to death. One time only; if the government were serious about relief for the lowest-income earners, they would start addressing the need to do catch-up with ODSP. If the government were serious about the lowest-income people, they would talk about a minimum living wage rather than a mere minimum wage, because \$7.75 isn't a minimum living wage, is it? Not at all. Yet there are a heck of a lot of people supporting themselves on it. If you can't do it with one job, you can do it with two jobs or with two and a half or three jobs.

A whole lot of women, a whole lot of women who are mothers, are working those two, two-and-a-half jobs. I know who they are and I know where they're working those jobs. In the summertime, thank goodness, hopefully there are enough tourists in Niagara Falls that they can get their summer job as room-cleaning ladies in the hotels in Niagara Falls or the motels along the motel strip. They do those first thing, and then they move on to their afternoon job at a Wal-Mart or a Burger King or a 7-11 kind of store. Then, if on the weekend they can do things like some informal babysitting or some laundry for some other people or maybe do some housecleaning for other people, they do that—amazing people. When they get that \$10 cheque, they're going to be fit to be tied. They'll take it, but they're going to be fit to be tied. They're going to be bouncing off the walls. "Did you check the mailbox today? Is the cheque for \$10 in there?"

This is cruel, it's abusive, it's disdainful and it's not particularly honest either—is it?—because it's called an electricity rebate but it has nothing to do with electricity. The amount of rebate has nothing to do with how much electricity a particular household uses. Instead, it's an opportunity to put a cheque in the mail and have a photo op here at Queen's Park, and maybe even find some happy couple to—Cash-for-Life style, lottery-winner style—accept that cheque with a big grin, knowing full well that once that cheque is gone, there ain't no more coming.

And things aren't getting any better; they're not. These people are hurting, whether it's those low-income people or seniors. How many times seniors can't afford to live in their own homes, can't afford to live out their final years. I've observed it over and over again. When I was a kid, people worried about not living long enough. Let's just talk to seniors in our constituency offices or in our ridings who, rather than worrying about not living long enough, are worried about living too long because there simply isn't enough income left, especially after one of the spouses dies. This is cynical stuff.

**The Acting Speaker:** I too would like to recognize and welcome the former member for Algoma, Bud Wildman, who is with us in the visitors' gallery. It's good to have you back.

Questions and comments?

**Mr. Flynn:** It's a pleasure to rise again. Certainly not much has changed since I rose the last time. We have some options before us tonight. Each of the parties will vote the way that it thinks it should vote, based on the bill, but Ontarians have to think back to what we've been through in the past decade. We've seen schools closed. We've seen hospitals closed, hospital beds closed all over the province. Since 2003, we've seen schools built under the McGuinty government. We've seen hospitals built under the McGuinty government, a hospital being built that the Conservatives couldn't build in a million years in my own town of Oakville. It's being built in 2009. So instead of closing things, we've become a government that's able to build things. We're able to build the econ-



omy. That's something that I think people have to come to grips with.

2030

You heard terms like "gutless wonder," and I was wondering if there wasn't a bit of sucking and blowing going on. Some of the speeches I've heard tonight have had one foot planted firmly on each side of the fence. If it's such a bad bill, if it's an awful bill, maybe you shouldn't be supporting it. Maybe you don't agree that \$100 million should be going to some of the most vulnerable people in the province to help deal with rising electricity rates as a result of our being honest with the people of Ontario and saying, "This is the true cost of electricity."

If you're going to have a strong economy, if you're going to grow the economy and be able to provide social services, one thing any business person will tell you is that you need a strong and affordable energy supply, which is exactly what the McGuinty government is bringing. You can't run deficits of \$5.6 billion. You can't play games with the hydro bills, as was done under the previous government. You've got to be up front. If, as a result of being up front, you need to assist some of the most vulnerable, I say that's what we should be supporting tonight.

**Mr. Runciman:** The words "Liberal" and "honesty" simply don't go together, and we know that from the experience of this government.

I want to compliment the member from Niagara Centre for his contribution here this evening. He's an unrelenting advocate for the less fortunate in our society. He has over many years in this place made a real contribution on their behalf.

**Hon. Mr. Bradley:** I can see this in his pamphlet.

**Mr. Runciman:** Well, it wouldn't be the first time an NDPer has used my endorsement in an election pamphlet, much to my chagrin. But with Mr. Kormos, that's an exception; I don't mind.

We talk about promises and courage, and as we heard the member from Oakville mention, "We had the courage to raise your prices through the roof," with a 55% increase in less than three years. They didn't have the courage in the election campaign to be, shall we say, honest with the parents of autistic children. Mr. McGuinty wrote them a very clear letter making a very clear promise, no question, and has failed to keep that very specific promise. What about promises to the disabled, what about promises to seniors, and certainly, in terms of tax increases?

We now have this government with the gall to sue American companies that are producing electricity. We're buying it from them in enormous quantities and at very high prices. They are suing them for the fact they are not controlling emissions to the degree the Ontario government apparently feels they should, while at the same time they have not spent one red nickel to reduce emissions from coal generation facilities in the province of Ontario. That's the reality. Now they have said they're going to close these plants by 2007. They've changed that to

2009. This is all a game. They're playing the electorate for fools again. They want to get past the election. The Ontario people are not going to fall for it once more.

**Mr. Arthurs:** I just want to come back to the essence of what the bill is about. It is about providing \$100 million of taxpayer money and returning those dollars to members of the communities in the province of Ontario who have considerable needs. This is intended to provide some relieve on the hydro front. Ultimately, we're going to start paying the real cost of hydro in this province. We're not there yet, but we will be at some point, and down the road, people will appreciate the fact that they are really paying the cost. They're not going to hang this cost on their grandchildren.

But in the interim, we need to provide relief for those who are the most vulnerable in our communities. We need to pay attention to the human and social deficits that we have in the province. This is only one modest part of that. We have addressed in a small way ODSP and Ontario Works as one other component. We know that there are those who have needs in the community, and we're going to try to address those in a fashion that meets a variety of needs along the way.

In addition to this legislation, soon the Minister of Community and Social Services will be introducing changes to legislation that allows for the doubling of the emergency relief fund from \$2 million to \$4 million. That will meet the crisis needs in a better way than is being done today. About \$500,000 of that will go to our aboriginal communities, again those who tend to have even higher needs potentially than other parts of our community.

The objective here is to take \$100 million and put it back into the community in the hands of those who have the greatest need. The amounts may not be large, but the quantum is.

**Mr. Yakabuski:** I am pleased to respond to the address by the member from Niagara Centre. It's always interesting to listen to the member from Niagara Centre, always entertaining but always insightful and, of course, today was no exception.

If I could have just a slight degree of latitude to speak about a matter of national importance, those out there getting hydro rebates are the kinds of people who vote in the Kraft Hockeyville. Tonight, airing across the land, from Atlantic to Pacific, from the Arctic Circle to the US border, is the Kraft Hockeyville presentation. Tonight, you're going to have the opportunity to listen to those wonderful communities across this country vying for the title of Hockeyville.

My community of Barry's Bay is one of those communities. I know the member for Peterborough will be supporting his community; I know that the member from Atikokan will be supporting his community. The member for Huron-Bruce will be supporting Wingham, and the member for Grey-Bruce-Owen Sound will be supporting Hanover, and there could be others in this Legislature.

We want people to get out and support Hockeyville—1-888-459-2006. Of course, I stand here tonight and say



Barry's Bay is Hockeyville. I have every confidence, and at the end of the day that's in fact what Canada will say, that Barry's Bay is Hockeyville. I want you to vote for Barry's Bay but, most importantly, I want you to get out and vote. Get to your phone: 1-888-459-2006, Hockeyville.

Canada's all about hockey. The Edmonton Oilers are going to come back and win that Stanley Cup, and we're going to have Hockeyville on June 11.

**The Acting Speaker:** That concludes the time for questions and comments. I return to the member from Niagara Centre.

**Mr. Kormos:** New Democrats are eager to see this bill go to committee for even a modest period of time because we have amendments that we want to propose.

I want to tell you, this is, I suppose, as Liberal a Liberal bill as you're ever going to find. One of the nice things about being a Liberal, as we've witnessed so many times, is you don't always have to be a Liberal. Think about it. You want to be over here, you want to be over here, you want to be over here, you want to sort of zig-zag, you want to Ping-Pong.

The other neat thing about being a Liberal is that you can promise anything you want in the course of pursuing people's votes, like anything and everything. You can promise IBI autism treatment for kids over the age of six. You can promise that you'll maintain a cap on electricity. You can promise there will be no new taxes. You can promise that you'll maintain the integrity of a public health care system. You can promise that you're going to address the needs of the lowest-income people in the province. You can promise that you're going to keep jobs in the province of Ontario. You can promise that you're going to regulate the price of gasoline for folks who need it for their cars, trucks and tractors. If you're a Liberal,

you can promise anything, and you will, and you will keep not one of them.

Liberals actually criticize each other. I asked about the goings-on in a caucus meeting when I suspected that at a Liberal cabinet meeting people are outraged when it's realized that, "Holy, moly, we almost kept a promise. We can't have that happen." It's the sharp one at the cabinet table who realized, "Whoa. Wait a minute, guys. Whoa, we can't pursue that policy; we might be keeping a promise." That's not the Liberal thing to do.

So here's this silly bill, this phony bill, this sad bill that's one-time-only, \$100 million for the poorest people, \$1.2 billion for banks and insurance companies—

**The Acting Speaker:** Further debate? Are there any other members who wish to participate in this debate?

Mr. Sorbara has moved second reading of Bill 117, An Act to amend the Income Tax Act to provide for an Ontario home electricity payment. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon. Mr. Bradley:** We ask that the bill go to the finance and economic affairs committee.

**The Acting Speaker:** The bill is accordingly referred to the finance and economic affairs committee.

Orders of the day.

**Hon. Mr. Bradley:** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This House stands adjourned until tomorrow at 1:30 of the clock.

*The House adjourned at 2041.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay-Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay-Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay-Superior- Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming-Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa-Orléans	McNeely, Phil (L)	Toronto-Danforth	Tabuns, Peter (ND)
Ottawa-Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound-Muskoka	Miller, Norm (PC)	Waterloo-Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth-Middlesex	Wilkinson, John (L)	Whitby-Ajax	Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Willowdale	Zimmer, David (L)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Prince Edward-Hastings	Parsons, Ernie (L)	Windsor-St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sarnia-Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York North / York-Nord	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	York South-Weston / York-Sud-Weston	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale-High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough-Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough-Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe-Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## CONTENTS

**Tuesday 6 June 2006**

### SECOND READINGS

#### **Income Tax Amendment Act**

**(Ontario Home Electricity Relief),  
2006, Bill 117, Mr. Sorbara**

Mr. Yakabuski.....4377, 4380, 4383,  
4390

Mr. Kormos.....4379, 4384, 4386,  
4387, 4391

Mr. Arthurs..... 4380, 4390

Mr. Miller..... 4380

Mr. Hampton.....4380, 4381, 4384

Mr. Flynn .....4383, 4386, 4389

Mr. Berardinetti..... 4384

Mr. McNeely ..... 4385, 4387

Mr. Balkissoon ..... 4386

Mr. Runciman ..... 4386, 4390

Agreed to..... 4391

## TABLE DES MATIÈRES

**Mardi 6 juin 2006**

### DEUXIÈME LECTURE

**Loi de 2006 modifiant la Loi  
de l'impôt sur le revenu (aide  
au titre des factures d'électricité  
résidentielle de l'Ontario),  
projet de loi 117, M. Duncan**

Adoptée ..... 4391





No. 86

N° 86

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 7 June 2006**

**Mercredi 7 juin 2006**



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 7 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### CANADIAN AGRICULTURAL INCOME STABILIZATION PROGRAM

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I'd like to welcome the Ontario Cattlemen's Association to Queen's Park for their famous beef barbecue. They were kind enough to give me some "I love Canadian beef" stickers, which I'll proudly place on my parade tractor this summer.

The cattlemen provide us a great service and the best beef in the world, but they do have a beef with the provincial government. Like most farmers, the cattlemen are concerned about this government's failure to show leadership on reforming the CAIS program. The federal government has taken the lead on CAIS, adopting changes to inventory valuation, changes cattlemen have been requesting for some time. But when it comes to the provincial government, cattlemen are saying, "Where's the beef?"

They're telling me that if the province matches federal changes to CAIS, it will be a tremendous benefit to cattle farmers in Ontario. If Minister Dombrowsky follows Minister Strahl's leadership on reforming CAIS, it would help the cattlemen to be more competitive vis-à-vis other Canadian jurisdictions.

Years after BSE crippled the industry, the cattlemen are still facing hardship. In addition to their lost equity, the border remains closed to cattle over the age of 30 months. The US border remains closed to breeding stock. There's a problem, obviously, getting animals down to Mexico, for example.

I call on all MPPs to continue talking about the closed border, and I call on Minister Dombrowsky to beef up her commitment to our Ontario cattlemen.

#### CHARITY SOCCER MATCH

**Mr. Kevin Daniel Flynn (Oakville):** I rise in the House today to inform all members of the Legislature of a wonderful event that's going to take place on Sunday, June 25, at 6 o'clock. The Universal Youth Foundation is hosting a charity soccer match between the Canadian women's national soccer team and the Italian women's team. The match will take place at Etobicoke's centennial

stadium. It's sure to be an exciting day, and it's in support of a great cause.

The Universal Youth Foundation does extremely important work in providing educational assistance to some of the world's most disadvantaged children and youth. This June 25 soccer match provides an opportunity to raise funds for this great cause. This organization trains teachers and builds infrastructure, providing opportunities to learn that otherwise just would not exist. It isn't simply about building schools but about building opportunity for children to succeed and become leaders in their own communities.

This is an example of how we can all think globally and act locally.

I'm proud to note that three young women from my own riding of Oakville will be suiting up for the Canadian national team and supporting this great cause: Kara Lang, Amanda Cicchini and Diana Matheson.

I'd like to invite all members to come out and cheer on June 25 for the women's national soccer team as they play the Italian women's national soccer team for a wonderful cause.

#### HYDRO IN ONTARIO

**Mr. John Yakubuski (Renfrew–Nipissing–Pembroke):** Today marks the 100th anniversary of what many people still refer to as Ontario Hydro. As a result of the power commission act passed a month earlier by the Conservative government of Premier James P. Whitney, the Hydro-Electric Power Commission of Ontario was created, with Adam Beck as its chairman. Beck, who served as chairman until his death in 1925, was a strong advocate for publicly owned electrical generation and transmission.

The first bulk transmission line built from Niagara Falls was completed in 1910 and switched on during a ceremony in Berlin, which is now Kitchener. In 1914, Beck was knighted by King George V for services rendered to the Commonwealth of Canada.

Beck was instrumental in developing the 450-megawatt Queenston-Chippewa power station at Niagara. At that time, this was the largest power station in the world. In 1950, the station was renamed Sir Adam Beck 1 in his honour. In the late 1940s and 1950s, the hydroelectric power corporation developed the potential of the St. Lawrence, in conjunction with American power authorities, during the development of the St. Lawrence Seaway. They also developed stations on the upper Ottawa River. In 1948, Hydro changed and standardized

the frequency of its electrical systems at 60 cycles, ensuring compatibility with neighbouring power systems and overcoming the major obstacle to expansion of its network.

There have been tremendous advancements and developments over the last 100 years as Hydro has been fulfilling its mandate to bring power to the people. To all those who have served, thank you.

Let us hope that the decisions made today are the right ones, dictated by commitment and not politics, ensuring that the lights will remain on in Ontario.

### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity–Spadina):** People for Education came to Queen's Park this afternoon to give a report card on a list of "incompletes" by the Minister of Education. One of them has to do with the Good Places to Learn, phase 2. The government claims it has spent \$75 million for further school renewal and capital needs, and I want to simply say to you that the government has not even spent the \$75 million of the \$270 million it promised. In fact, they've spent less than \$20 million, based on a report the minister gave me in response to a question from estimates.

They talk about the alternative diploma. On October 14, 2005, the Premier and the Minister of Education announced that the province would create an alternative diploma in order to turn around the dropout rate. Instead, in November 2005 the Minister of Education introduced a specialist high-skills major to allow students to complete a minimum bundle of courses in specific high-skills areas—arts, business, info technology etc. It doesn't deal with those dropout kids.

1340

Keeping schools open—the fair funding model for rural schools: They promised this in 2005. It's 2006 and we've still got nothing.

A new funding formula for transportation: We've been waiting since 2004 and we still don't have one. This is not a good track record.

### CHILD CARE

**Mr. Khalil Ramal (London–Fanshawe):** I want to commend the city of London for recently approving an initiative that will see 346 new child care spaces created at no cost to London taxpayers. This funding is being approved by the provincial government under its Best Start program and by the commitment made by the previous federal Liberal government.

The creation of the new child care spaces will help shorten the waiting lists faced by parents in London and will provide affordable, accessible and quality child care for their young children. I am glad that the city of London and the McGuinty government understand that the first few years of a child's life set the foundation for lifelong learning.

Unfortunately, the current federal government has refused to honour the early learning and child care agreement signed by the provinces and the previous federal government. This will result in the federal government taking away \$1.4 billion intended for child care spaces over the next five years. This negatively impacts the ability of the provinces to provide quality and affordable child care spaces needed by families.

I hope the federal Conservative government will recognize the importance of quality child care in this province, and I urge them to honour that agreement so that children in this province can get the best start possible.

### ONTARIO PROVINCIAL POLICE

**Mr. Robert W. Runciman (Leeds–Grenville):** As someone who served as critic of the Ministry of the Solicitor General for many years and as minister for almost six, I've had the opportunity to work very closely with members of the OPP, from the commissioner level to the front line. I have enormous respect for the men and women of the OPP who serve us so well, and I'm truly distressed to witness the challenges currently confronting them at Caledonia and the fallout for their reputation and morale.

The OPP finds itself in a no-win situation. The residents of Caledonia and Haldimand are upset with them for what they see as their failure to enforce the rule of law and their humiliating retreat following a politically correct raid on the occupied property. The OPP's challenge, operating in a McGuinty Liberal environment, is that they cannot, in any way, shape or form, count on the support of this government. They're constantly looking over their shoulders.

This was driven home yesterday when the minister responsible for policing blamed OPP officers for driving into the occupied property Sunday night and implicitly endorsed the concept of a no-go zone for the OPP.

These are difficult times for an outstanding police service, and the responsibility for that lies squarely at the doorstep of the McGuinty Liberal government.

### SYNCHRONIZED SWIMMING

**Mr. Bob Delaney (Mississauga West):** Canadians have traditionally excelled in synchronized swimming. Set to music, our Canadian young women display their athletic skill, endurance, muscle control, poise and rhythm in the pool. They are judged on the degree of difficulty of the manoeuvres, pool area coverage, and the quality of execution of the routine.

Samantha Wymes is a 14-year-old Mississauga West resident. In April Samantha was the youngest synchronized swimmer to qualify for Team Ontario, and already has eight years' experience in synchro.

Samantha will represent Ontario at the Canada Winter Games in February 2007 in the Yukon. She recently returned from the third Synchro Peru Aquatica Cup in



Lima, Peru, where she won a bronze medal in duet, a silver in figures and a gold medal in team for Canada. She beat out competitors from all over South America plus three separate teams from the United States.

Samantha will compete at the Espoir National Championships at the Etobicoke Olympium in June and hopes to qualify for Canada's national 13 to 15 team, which will compete in Mexico this summer.

Samantha is living proof of why synchro and competitive swimmers, divers and water polo players need our regional councils to work together and build a 50-meter pool to serve Peel and Halton region.

We hope Samantha hears O Canada played often when she competes internationally. On behalf of the Legislative Assembly, I wish her continued success in the sport of synchronized swimming. We're all proud of her.

### RESEARCH AND INNOVATION

**Mr. David Oraziotti (Sault Ste. Marie):** I rise in the House today to congratulate Katie Pietrzakowski, of my riding of Sault Ste. Marie, and to comment on our government's investments in promoting research and higher education.

Katie is a member of Team Sci-Tech Ontario and took home a bronze medal at the Canada Wide Science Fair recently in Quebec. Sci-Tech Ontario took home 12 gold medals, 12 silver medals, 22 bronze and the EnCana best in fair award. Katie qualified for the national competition by winning the Algoma Rotary Regional Science Fair, one of 30 fairs held across the province.

Support for young scientists is just one of the ways our government is ensuring that Ontario has a well-educated, highly skilled, productive workforce. We have created the Ministry of Research and Innovation and committed \$1.4 billion over five years to allow Ontario's scientific and technical communities to reach new heights and compete on the global stage. We're investing \$6.2 billion in post-secondary education in Ontario, the largest investment in over 40 years.

Last week, the Minister of Training, Colleges and Universities and I had the privilege of participating in the opening of the inaugural northern health conference at Algoma University. This conference brought together medical researchers from across northern Ontario to find solutions to the unique health challenges facing northerners. It is largely the result of our \$95-million investment to create the new Northern Ontario School of Medicine, the first medical school to be opened in Canada in more than 30 years.

We've begun the important task of providing facilities and resources that allow individuals like Katie, northern medical researchers and others the chance to offer the guidance, vision and creativity that will lead to new innovations and a stronger economy.

### CARDIAC CARE

**Mr. Bill Mauro (Thunder Bay–Atikokan):** I am pleased to announce that our government is improving

access to cardiac services in northwestern Ontario. Last weekend, Minister of Health George Smitherman announced in Thunder Bay that the introduction of a stand-alone angioplasty unit is in the works for Thunder Bay Regional Health Sciences Centre. This announcement will trigger the beginning of a process. Thunder Bay Regional will now develop a plan for the implementation of this service at our hospital to meet the requirements of the Ministry of Health for the provision of this very specialized service.

I can report that everyone present at the event—from hospital board chairman Ron Nelson, representing the board of directors, to Dr. Frank Nigro, representing staff, including nurses and hospital administrators, as well as community members—was extremely excited by the announcement. I must mention as well the local advocacy group, Mended Hearts, which first brought this issue to my attention almost three years ago.

This announcement, while being first and foremost a health care announcement, will also be an economic generator for the community. When fully operational, it will mean an approximate \$18-million to \$20-million annual expenditure within our community.

All those in attendance were very excited to get started on a capital campaign for the community portion of the announcement. Our government has made a significant move forward in terms of health care provision for northwestern Ontario. Whenever possible, one of the best things we can do is provide those services closer to home. Three hundred to 500 people who are now shipped out of Thunder Bay to other jurisdictions on an annual basis will eventually be able to receive this specialized service closer to home, with family and friends at their side.

We have made a major move forward, and I'd love to thank the Minister of Health for coming to Thunder Bay to make this announcement.

### WEARING OF PINS

**Mr. John Wilkinson (Perth–Middlesex):** On a point of order, Mr. Speaker: Given the fact that our friends from the Ontario Cattlemen's Association are here and fed almost all the members and our staff with a wonderful beef lunch, I ask for unanimous consent to wear the cattlemen's pin today in the House.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

### REPORTS BY COMMITTEES

#### COMITÉ PERMANENT DE LA POLITIQUE SOCIALE STANDING COMMITTEE ON SOCIAL POLICY

**M. Shafiq Qaadri (Etobicoke–Nord):** Monsieur le Président, je demande la permission de déposer un

rapport du comité permanent de la politique sociale et je propose son adoption.

Mr. Speaker, I beg leave to present a report from the standing committee on social policy and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill, as amended:

Projet de loi 102, Loi modifiant la Loi sur l'interchangeabilité des médicaments et les honoraires de préparation et la Loi sur le régime de médicaments de l'Ontario / Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act.

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1349 to 1359.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Di Cocco, Caroline	Pupatello, Sandra
Balkissoon, Bas	Dombrowsky, Leona	Qaadri, Shafiq
Bartolucci, Rick	Duncan, Dwight	Ramal, Khalil
Bentley, Christopher	Fonseca, Peter	Ramsay, David
Berardinetti, Lorenzo	Gerretsen, John	Rinaldi, Lou
Bountrogianni, Marie	Hoy, Pat	Ruprecht, Tony
Bradley, James J.	Jeffrey, Linda	Sandals, Liz
Broten, Laurel C.	Kwinter, Monte	Sergio, Mario
Brownell, Jim	Lalonde, Jean-Marc	Smith, Monique
Bryant, Michael	Mauro, Bill	Smitherman, George
Cansfield, Donna H.	McGuinty, Dalton	Sorbara, Gregory S.
Caplan, David	McMeekin, Ted	Takhar, Harinder S.
Chambers, Mary Anne V.	Meilleur, Madeleine	Van Bommel, Maria
Colle, Mike	Mitchell, Carol	Watson, Jim
Cordiano, Joseph	Mossop, Jennifer F.	Wilkinson, John
Craitor, Kim	Oraziotti, David	Wong, Tony C.
Crozier, Bruce	Peters, Steve	Wynne, Kathleen O.
Delaney, Bob	Phillips, Gerry	Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Amott, Ted	Klees, Frank	O'Toole, John
Barrett, Toby	Kormos, Peter	Prue, Michael
Bisson, Gilles	MacLeod, Lisa	Scott, Laurie
Chudleigh, Ted	Marchese, Rosario	Tabuns, Peter
Elliott, Christine	Martel, Shelley	Tory, John
Hardeman, Ernie	Martiniuk, Gerry	Wilson, Jim
Horwath, Andrea	Miller, Norm	Witmer, Elizabeth
Hudak, Tim	Munro, Julia	Yakubski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 54; the nays are 24.

**The Speaker:** I declare the report to be received and adopted.

Pursuant to the order of the House dated Tuesday, May 9, 2006, the bill is ordered for third reading.

## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Ms. Andrea Horwath (Hamilton East):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bills without amendment:

Bill Pr18, An Act respecting Ronald McDonald House (Hamilton);

Bill Pr26, An Act respecting Talpiot College.

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted? Agreed? Agreed.

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that today the Clerk has received a report on intended appointments dated June 7, 2006, of the standing committee on government agencies. Pursuant to standing order 106(e)9, the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### STREET RACING ACT, 2006

#### LOI DE 2006 SUR LES COURSES DE RUE

Mr. Klees moved first reading of the following bill:

Bill 122, An Act to enhance safety on Ontario's roads and to empower police officers to shut down street racing / Projet de loi 122, Loi visant à accroître la sécurité sur les routes de l'Ontario et à habiliter les agents de police à mettre fin aux courses de rue.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Frank Klees (Oak Ridges):** I'm introducing this bill in memory of my constituents Rob and Lisa Manchester and in honour of their 7-year-old daughter, Katie Marie Manchester, who was orphaned when her parents' car was hit by a Honda Civic reportedly speeding in excess of 140 kilometres per hour. Street racing was the cause of that tragedy according to reports. On behalf of all members, I extend our condolences to the Manchester family, their relatives and their friends.

Street racing is an illegal and dangerous activity, jeopardizing the lives of innocent people. In the last six years, there have been 33 deaths due to street racing in the greater Toronto area alone. Excessive speed continues to be the leading contributing factor in fatal collisions and illegal street racing is reaching epidemic proportions.

The purpose of this bill is to empower front-line police officers to issue on-the-spot licence suspensions and



vehicle impoundments to drivers they have reason to believe were involved in street racing. The bill also bans the connection of aftermarket nitrous oxide fuel systems in vehicles on all public streets and highways, and provides for fines of up to \$2,000 and jail terms of up to six months for convictions.

We can't legislate responsibility but we can ensure that there are serious consequences for anyone who is willing to put innocent lives at risk. Street racing is a serious threat and our front-line police officers need the authority to deal with this issue. We can't bring back lives of victims, but we can and must send the message through our actions as legislators that street racing is illegal, dangerous and unacceptable in Ontario.

## MOTIONS

### COMMITTEE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I believe we have unanimous consent to move a motion without notice regarding the standing committee on finance and economic affairs.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley is asking unanimous consent to move a motion without notice regarding the standing committee on finance and economic affairs. Agreed? Agreed.

**Hon. Mr. Bradley:** I move that the standing committee on finance and economic affairs be authorized to meet after routine proceedings on Monday, June 12, 2006, for clause-by-clause consideration of Bill 117, An Act to amend the Income Tax Act to provide for an Ontario home electricity payment.

**The Speaker:** Mr. Bradley has moved that the standing committee on finance and economic affairs be authorized to meet after routine proceedings on Monday, June 12, 2006, for clause-by-clause consideration of Bill 117, An Act to amend the Income Tax Act to provide for an Ontario home electricity payment.

Is it the pleasure of the House that the motion carry? Carried.

### VISITORS

**The Speaker (Hon. Michael A. Brown):** I want members to help me welcome a group in the Speaker's gallery. We have with us a group, the president of which is Derwyn Shea, a former parliamentarian. I ask everyone to welcome our friends here today.

**Mr. Gilles Bisson (Timmins-James Bay):** Mr. Speaker, on a point of order: I'm sure members would want to know that we have visitors here from Tobago and New York City, or Sears, especially to see question period, and they're looking forward to the entertainment that will ensue.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** Mr. Speaker, on a point of order: In the same light, we have a delegation from Kingston today that's here to watch democracy in action. They're sitting right in the west lobby.

1410

## ORAL QUESTIONS

### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** Mr. Speaker, I'm not sure if it will qualify as entertainment or democracy in action, but I have a question for the Premier. Premier, two days ago, this House voted in favour of our motion on your handling of the Caledonia situation and called for a public inquiry to take place at the appropriate time so that we as decision-makers could gain a better understanding of what has gone wrong there and how we might prevent it from happening again in the future, as well as an examination of the land claims process and any helpful advice that independent investigator might offer as to how that could work better as well.

During the last election campaign, you made a lot of statements and several promises to voters about making this place work better and about respecting the Legislature and its members. Will you live up to your promises and make the commitment to hold, at the appropriate time, a public inquiry so that we can all know what has gone on at Caledonia, get some advice with respect to the land claims process and respect the will of the members of this House? Will you do that?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm pleased to take the question. The leader of the official opposition will undoubtedly know that I had the opportunity to speak to this just yesterday when I described this ploy on the part of Conservatives as being nothing more than mischief-making.

In truth, what the opposition objects to, in terms of the approach we have brought, is that we have refused to direct police in any of their activities or any type of engagement with the First Nations. We will continue to bring forward the same kind of approach that we have brought to date. We will be thoughtful, we will be responsible, we will be patient, and we will persevere.

**Mr. Tory:** During the time of the election campaign and during the time before that, I suspect you would not have described, for example, any of your many calls for public inquiries of various kinds as being mischievous.

What we did in this case was simply take the responsibilities that we have as the official opposition in this Legislature and duly file a motion, which was then duly debated and voted upon in this House. The motion was voted on and passed. You can describe that as mischievous; I actually thought that was parliamentary democracy. The only mischievous thing—and I would

describe it, as well, as unfortunate—is that only seven members of the Liberal Party were in the Legislature for the debate and for the vote. I think that lack of attendance by itself indicates the degree to which you don't take this issue seriously.

Will you not respect the Legislature and a vote of the Legislature and agree to ask an independent investigator, at the appropriate time, to look into what happened at Caledonia and how we can learn from it? Why won't you do that?

**Hon. Mr. McGuinty:** I'm going to recommend to the Leader of the Opposition that he take a look at today's Hamilton Spectator, in particular the editorial found on page A17. The title of the editorial is "Political Theatre of the Absurd." In describing the motion, the Hamilton Spectator describes it as "self-serving political opportunism in an extremely delicate situation." It goes on to say, "To suggest, as Tory has, that a public inquiry be launched before the standoff is resolved is simply silly." I completely agree.

**Mr. Tory:** And I would feel just the slightest bit sensitive about that if that in fact was what I had asked for, but if you go back and look at the press releases from when we asked for the inquiry in the first instance, they all clearly say, as I've repeated today, that you should commit to launching the inquiry at the appropriate time.

We've asked for it so that people down there will know—from all corners, in all parts of that community, and indeed people across the province—that at the appropriate time, you are willing, as you suggested so often in the past, and that you are willing out of respect for this Legislature, which had a debate and had a vote, to agree to an independent investigation of this matter so that we might learn from it and find ways we might improve the land claims process and our handling of these kinds of disputes.

My question is very simple. Rather than reading me that clipping which is based on a false premise as to when I asked for the inquiry, why will you not agree to that kind of independent inquiry? What is it you're afraid of? Is it that it's going to expose your own lack of leadership—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Premier?

**Hon. Mr. McGuinty:** Again, I think it's important for us to be very direct in terms of what it is we're talking about here. The leader of the official opposition is critical—there's no hiding that—of the approach we've brought to dealing with the affair at Caledonia. He's critical because what he wants us to do is to send in the police. We refuse to do that. At least Mr. Barrett has been very forthright in this regard. He has said, and I quote again, "It puts our OPP in a very bad situation. They're getting obviously no sense of direction or leadership from this government. There's got to be some kind of direction for the OPP." I couldn't more strongly disagree. I think Ontarians again have a good opportunity for a study in contrasts here. They would send in the police. They would have the police engage in some kind of

action. We choose to negotiate. We choose to take the time to ensure we have a resolution which is peaceful.

**The Speaker:** New question. The Leader of the Opposition.

**Mr. Tory:** My question again is for the Premier. And I should say that at no time ever have I said that you should send the police in or instruct the police to go in—ever. What I have said—

*Interjections.*

**The Speaker:** Order. Minister of Agriculture, member for Halton, the Attorney General, come to order. The government House leader will come to order. Leader of the Opposition.

**Mr. Tory:** What I have said is that a very good start, if you want to talk about sending somebody in, would be to send yourself down there; for a single member of your government to go down there and listen to a single citizen who would tell you about what is going on with the fabric of that community.

Now, yesterday you referred to the Caledonia standoff as being one "without incident." I just want to clarify that you don't consider the following to be incidents: barricades and tire fires seen for miles; OPP officers wrestling with protesters; an electricity blackout involving more than 9,000 people and all kinds of businesses; numerous brawls; a security guard's car being burned to the ground; paved roads being dug up by heavy machinery; two OPP officers reportedly being held against their will for making a wrong turn. Why don't you take this opportunity to explain to the people of Ontario how you can describe this security crisis as being something that's happened without incident.

**Hon. Mr. McGuinty:** Let me remind the leader of the official opposition of what we've done in Caledonia so far by working with the community, with the Six Nations, with the federal government. First of all, we appointed David Peterson to work through some of the immediate issues. The members opposite will know that we've helped to negotiate the opening of the Argyle Street blockade. He will know that we've secured the federal participation with the appointment of Barbara McDougall as the federal representative and we've appointed Jane Stewart as our provincial representative, so that together we can work through the broader Haldimand tract land claims issue. We have helped calm tensions and build trust by placing a moratorium on the development of Douglas Creek Estates while discussions continue. And just recently, Minister Cordiano was in the community to help the local community with a \$500,000 emergency assistance program for local businesses. We've been there, and we will stay there with the community to ensure that we can resolve this peacefully.

**Mr. Tory:** I have a slight advantage over the Premier in that I have been there and listened to what the people have to say down there. I've been there not once, not twice, but three times. Three times I've been there to listen to people, and I have listened to them describe, from the first time to the third time, how much the social fabric of this community has been torn; how much they



regret what has happened by allowing this situation to escalate; how much has happened to tear asunder relationships that have developed over decades between people who live there from the First Nations part of the community and from other parts of the community.

I say to you again and I ask you one more time, instead of offering some real leadership and actually showing somebody's face down there to communicate with these people, to show some caring on the part of a single minister of the government, up to and including, I would suggest, yourself, you've chosen to downplay this, to describe this as without incident and so on.

Why won't you acknowledge the severity of this situation and agree at the appropriate time to an independent investigation of what happened here, and an independent investigation of how land claims get to this point so we can stop it from happening ever again? Why won't you do that?

1420

**Hon. Mr. McGuinty:** The leader of the official opposition is intent on inflaming this situation. He uses different language, but the basis for his criticism of our government and the approach we brought to Caledonia is that he's saying over and over again between the lines that it's time for us to send in the police. He says we can't allow the situation to go on any longer and it's time for us to send in the police.

At least Mr. Barrett is very forthright in this regard. He has said specifically that we should be sending in the police. I understand that that's the approach they would take. We have a decidedly different approach. It takes time and perseverance. It takes our acting responsibly in a way that will cultivate a basic foundation of goodwill and trust. They want us to send in the police; we will not do that.

**Mr. Tory:** I think it is a complete disgrace and beneath the office that you hold as Premier of this province to suggest that by coming in here and doing the job the Leader of the Opposition is appointed to do, to ask questions about your handling of this affair and to ask you nothing more than something you asked many times of the governments you questioned, namely to appoint an independent investigator at the appropriate time to look into this—for you to describe that as “inflaming this situation” I think is irresponsible in the extreme.

*Interjections.*

**Mr. Tory:** I would ask you—

*Interjections.*

**The Speaker:** I can wait. The Minister of Health Promotion, come to order. The member for Burlington will come to order. The Minister of Finance will come to order. The member for Halton will come to order.

I need to be able to hear the questions that are put by members in this place and to hear the responses. About 10 seconds.

**Mr. Tory:** I would urge the Premier to read the speech that I gave in the Legislature in respect of the motion that was debated on Monday, because I tried my best to be balanced and responsible about the need for an

independent investigation to look into better ways to handle land claims and better ways to handle these kinds of situations. I simply ask you, why won't you agree to that kind of independent investigation? To ask for it is not to inflame the situation.

**Hon. Mr. McGuinty:** If the leader of the official opposition, as he claims, has a sincere interest in helping us to diffuse existing circumstances, if he's interested in helping us to lower the temperature, if he's actually interested in helping us to deal with the situation as it obtains at the present, if he has a genuine interest in helping to us find a way out of this in a way that will ensure that nobody's safety is compromised, then I'm all ears. But I have yet to hear a single valuable, constructive proposal that would help us deal with this issue today.

*Interjections.*

**The Speaker:** Order.

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I want to hear from the cowboy in your caucus.

**The Speaker:** Minister of Education.

*Interjections.*

**The Speaker:** Order. The Minister of Health will come to order.

This is the final warning to the Minister of Education.

*Interjections.*

**The Speaker:** I can wait.

New question. The leader of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. Premier, the leadership of First Nations across Ontario is so frustrated with your failure of leadership at Caledonia that the Ontario regional chief wrote to you recently and said, “This is a land rights issue and no forum exists in Ontario to resolve land rights issues in a timely manner.” He then goes on to say, “Ontario can take a proactive role which can ultimately help.” He then suggests how a land rights forum could function.

Premier, Regional Chief Toulouse is suggesting a positive initiative on how the Caledonia conflict could have been avoided and future land rights issues could be proactively addressed. Why has your government failed to heed the advice of Regional Chief Toulouse?

**Hon. Mr. McGuinty:** I was pleased to receive the constructive proposal from Chief Toulouse. It's part of an ongoing engagement we have with him and so many other leaders in our First Nations communities, but at present we find ourselves in circumstances which demand immediate action, so we have elicited the support of the federal government, and in particular Barbara McDougall, together with Jane Stewart, our provincial representative. We're sitting down and working through the larger, broader land claim issues. That group will meet again tomorrow.

I can say that Chief Toulouse has put forward a constructive proposal, and we look forward to considering that on a go-forward basis, but at the present time we are sitting down and working with the federal government and working our way through these very important issues.



**Mr. Hampton:** Premier, Regional Chief Toulouse doesn't see it that way. He says to you, "I must remind you that the issue at Caledonia began with a simple occupation of a parcel of land to prevent development." He says, "This is a situation which could be repeated over and over again due to continued encroachments on First Nations lands and the absence of a process to address First Nations land rights issues."

He then goes on to say that your own negotiators are confused. He says, "However, the mandates of the provincial negotiators remain unclear. Recently I became aware that an apparent agreement reached at the negotiating table was not honoured by provincial parties."

It doesn't sound, Premier, as if your government is heeding Regional Chief Toulouse's advice or that you're acting with honour and honesty at the table. What do you say to that?

**Hon. Mr. McGuinty:** Again, I appreciate Chief Toulouse's advice in this regard. We're getting advice from a host of people around the province, and there are a number of interpretations, of course, associated with the different actions carried out by different people. But I can tell you that we bring a tremendous amount of goodwill and commitment to resolving this matter in a peaceful way.

In addition to the major land claims table, Speaker, in addition to the \$500,000 by way of emergency assistance for local business announced recently by Minister Cordiano, we've also provided \$100,000 to set up an interim relief program for the developer and the builders involved on the site.

I can say that we're now fast-tracking discussions with the developers involved so that we can find some way to deal with the land. Again, it's a complicated matter. We'll bring everything that we possibly can to bear to deal with this in a positive, constructive way that culminates in a peaceful solution.

**Mr. Hampton:** Premier, you were the one who promised "a new era of good relations with Ontario First Nations." Regional Chief Toulouse is trying to provide some positive solutions and suggestions, but what he's seeing from your government is issue evasion and confusion.

1430

Consider this: Your government knew for a year that there was a land rights issue here, but you did not engage in serious discussion. Then, after the protest begins, you start some discussion, but while discussion is happening, in go the OPP. Here, just the other day, the Leader of the Opposition put forward a proposal for an inquiry. Your own members don't oppose it, so it passes the Legislature, and now you say you oppose that. What we see is confusion.

Premier, Chief Toulouse wants to be proactive and provide solutions. He says if you don't do that, this can repeat itself. When are you going to take Chief Toulouse's advice and set up—

**The Speaker:** The question has been asked.

**Hon. Mr. McGuinty:** I'll say for the third time, we welcome Chief Toulouse's positive, constructive advice

and we look forward to finding a way to address that on a go-forward basis. But at the present time, we find ourselves caught up in a difficult situation. We have already established a table. I spoke with Prime Minister Harper on the weekend about that. We are both committed to doing everything we possibly can to work together to resolve this in a peaceful way. We're providing ongoing assistance to the community. We've done what we can to this point in time to bring down the barricades. I think that kind of issue is now going to be transferred to the main table.

We're going to work with the developer involved. We will continue to work with the community. We will do everything we possibly can to resolve this in a way that is based on, that is founded on, goodwill and trust and a determination to resolve this peacefully.

## ENVIRONMENTAL PROTECTION

**Mr. Howard Hampton (Kenora-Rainy River):** A question for the Premier: Working families across Ontario want to be sure that your \$40-billion nuclear mega scheme is subjected to a tough, thoughtful, transparent provincial environmental assessment. Yesterday, you refused to make that commitment. Since then we've learned that Theresa McClenaghan, a key adviser to the environment minister, co-authored a legal opinion that says your government must conduct a proper provincial environmental assessment of your plans for \$40 billion in new nuclear plants.

Premier, is the McGuinty government going to listen to your own advisers and their legal opinion, or are you going to ram through your nuclear power scheme without a proper Ontario environmental assessment?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** Let's be clear. The federal government is required to undergo a full environmental assessment for each new nuclear facility that is built. That's the law. The province would actively participate in each federal EA of any new nuclear plant to ensure that Ontario's environment is adequately protected and that the health of citizens and the public interest in our province are protected. In addition, any new plant would be subjected to my ministry's approvals processes for water-taking and waste water discharges, regardless of the fuel source of that facility. I can assure Ontarians that the environment, human health and public interest would be protected by those processes.

**Mr. Hampton:** Let's be clear. This is what the Minister of the Environment's own adviser says in her legal opinion: "The forthcoming integrated power system plan is a public sector 'plan' to which Ontario's Environmental Assessment Act applies. The application of the EA Act is mandatory since there are no declaration orders or regulations which exempt the integrated power system plan from Environmental Assessment Act coverage."



My question to the Premier and to the Minister of the Environment remains the same: Are you going to obey the laws of Ontario and subject your \$40-billion nuclear mega scheme to an Ontario environmental assessment, or are you going to try to water down the Environmental Assessment Act and avoid an environmental assessment of your \$40-billion nuclear mega scheme? Which is it going to be?

**Hon. Ms. Broten:** I can say that I'm very proud I hired Theresa McClenaghan, a great lawyer, away from the Canadian Environmental Law Association, where she was acting for a client when she issued an opinion. Maybe the leader of the third party doesn't understand that an opinion could be offered with respect to the entire IPSP. That decision has yet to be made. A formal request has been made to subject the IPSP to an individual EA. As minister responsible, I have not made that decision, that determination, because it's important to note that the IPSP has yet to be finalized or released.

Theresa McClenaghan is now recused from all energy work. She's a water expert in the Ministry of the Environment and is working very hard to ensure that we have the Clean Water Act and that that moves forward.

But it's absolutely critical to understand that the environmental assessment reforms we brought forward most recently have absolutely nothing to do with what you are trying to link them to.

**Mr. Hampton:** We will see in due time about your watering down of the Environmental Assessment Act. I simply say to the McGuinty government again, it is your position that you will conduct environmental assessments into Ontario-built roads, Ontario-built hydro dams, Ontario-built landfills. Your own legal adviser, Minister of the Environment, says you must subject the \$40-billion McGuinty nuclear mega scheme to a full Ontario environmental assessment. Are you going to do that? Are you going to follow the legal opinion of your legal adviser, or is the McGuinty government going to try to weasel out of an environmental assessment and push its nuclear mega scheme through in the middle of the night? Which is it going to be?

**Hon. Ms. Broten:** I'll say it again: It is the law that any new nuclear facility would be the subject of a full federal EA. That's the law of the land. That's the law we will abide by. We will participate with the federal government in that EA. We will be active participants, ensuring that Ontarians' health and safety is protected. We have additional approvals processes that would be required. That's the rubric we operate under. That's the framework. We will be meeting our obligations to ensure that Ontarians are protected as we build any new source of power in this province.

#### NATIVE LAND CLAIMS

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. The Premier asked a moment ago if there were a couple of constructive ideas for the things that might be done in respect of Caledonia. I'll

start with a letter that your minister received on August 18, 2005, from Chief David General. It specifically suggested, "We also invite you and members of your staff to travel to our community to tour the area and meet with our community members to better understand the challenges we currently face." The letter was all about this Douglas estates land development. So that's one suggestion. Why don't you ask your minister to go down there—or maybe yourself—and actually have the meeting that Chief General asked about in August 2005? We might not be having this discussion if that had been done.

The second one is to follow along with what Regional Chief Angus Toulouse said that the leader of the New Democratic Party asked about. He said in the letter that we have to focus "on ways and means to address First Nations land rights issues in Ontario." Why isn't an independent investigation of the land claims process such as I have suggested in this House, which could look at other matters as well—why doesn't that answer—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Upon receipt of Chief David General's letter on August 5 of last year, I had several meetings with the chief and many of his council members. We had reconfirmed a structure called the exploration that we had been working on; in fact, we had expedited that exploration of the land claims and the accounting claims issues there.

If you speak to David General, he was very satisfied with the progress. What had happened was that some in the community—you have to remember that this duly elected chief and council only have the support of about 10% to 12% of the population of the Six Nations—didn't accept the progress that was being made, became impatient, and especially when they saw the model home being constructed, the Douglas Creek Estates home, they went out and acted out their frustration. We continue to work with all the leaders in the Six Nations because, as the Leader of the Opposition must know, there's more than one leadership there.

**Mr. Tory:** My question is to the Premier, but assuming I'll hear from the minister, we got the letter a year ago suggesting that there be an on-site visit, to come down and visit. We have the suggestion in the letter from Ontario Chief Toulouse that we have a process put in place to examine the land claims process.

1440

I ask you, because maybe you'll have a different answer as to those two things being suggested, what is wrong with committing today to having an independent investigation at the appropriate time of these things—an independent "examination" is a better word—by someone of repute who can look at these things, both the land claims process as we suggested in our motion and the situation as it has now unfolded at Caledonia, at the



appropriate time? Can you tell me why that's a bad idea, why the Premier rejects it? Well, I won't assume you reject it, because you're a reasonable man. Can you give me your answer as to why this is categorized as inflaming the situation and mischievous when in fact it is actually a constructive suggestion to allow us to get to the bottom of how we can make things better?

**Hon. Mr. Ramsay:** I've said to the Leader of the Opposition that we're spending all of our time trying to resolve this issue right now. That's what we're doing, day and night, and everybody in government is trying to do this.

I'd like to comment on Grand Chief Angus Toulouse's suggestion, because it is a good idea. While we sit here in government, that's not to say we always have the best possible solutions to everything. We know every day we can always do a better job and we're always interested in new ideas and constructive ideas. We look to your caucus for that, and to the leader of the third party to do that, and Chief Angus Toulouse, who I work with very well.

You have to appreciate, though, that this is the most unique accounting land claim situation in the whole country. It's not a straightforward claim like the others are, where we have straightforward procedures. In fact, we have about 65 of these ongoing in Ontario. Some are scheduled to be resolved in 2012, like the Algonquin one which involves the city of Ottawa. They're very complex. They're all scheduled. But this one's very different. It's an accounting claim based on a grant from a crown of 250 years ago.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** To the Minister of Education: Parents from across Ontario are tired of watching their schools languish and their children suffer while you pretend everything is wonderful in our schools.

Today, the parents' group People for Education came to Queen's Park to grade your performance as minister, and they've given you an incomplete, because while you promised to address the crises our students face—and you're very good at making promises—we haven't seen any action. You promised education grants with an updated funding formula by the end of May. It's now June. Where are they?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I think it's fair to say that some things are really worth waiting for. I will tell this member opposite that we have been working diligently. In fact, I have spent eight weeks now on this job. In these last eight weeks, I am very proud of both the ministry's staff as well as my own, and my caucus colleagues who have given me tremendous support so that we can listen well to our partners in delivering education.

In the words of the now Minister of Energy, let me just say this about education: Everything that's supposed to be up is up and everything that's supposed to be down is down. Graduation rates are going up, literacy and

numeracy rates are going up, and we're very proud of that record.

**Mr. Marchese:** I say to the minister, the students and their parents are tired of empty promises from the McGuinty Liberals. Empty promises won't stop the 64 schools in Toronto from closing. Empty promises won't put English-as-a-second-language teachers in the hundreds of classrooms where they're needed. Empty promises won't fix the leaky roofs or chase the vermin out of the hallways.

You promised a new and improved funding formula by the end of May. As of June 7, 2006, the grants have not been delivered, which marks the latest date for the grants in the last nine years. Schools cannot plan properly. When can they expect the grants, Minister?

**Hon. Ms. Pupatello:** I know; end of May. It's June 7 today. Give me a break. That's all I've got to say to the member opposite.

What I am telling you is that since 1998, several years through a Conservative government, we suffered with a very difficult formula. I will tell you that this member in particular—I believe he was also education critic at that time—offers no helpful suggestions on how to resolve our issues.

I am, on the other hand, relying on some very tremendous support in my caucus for some very significant changes that are coming to our formula. I will say to the leaders in education across this province that \$2 billion of investment is significant and it is historic. It is the most kind of support that we have had in this short a time period, that we have seen, since Upper and Lower Canada were joined to form Ontario.

So let me say this: In this new grant round we are going to have support for lower class sizes from JK to 3, more support for student success. We are going to see support for literacy and numeracy to go way up like we expect them to.

#### MONTFORT HOSPITAL

#### HÔPITAL MONTFORT

**Mr. Richard Patten (Ottawa Centre):** That's going to be a tough act to follow.

My question is for the Minister of Public Infrastructure Renewal. As a former president and CEO of the Children's Hospital of Eastern Ontario Foundation, I've experienced a tremendous enthusiasm and concern and interest and support for the health care system in the region. So I want to ask the minister today about the efforts around the Montfort Hospital, which is arguably well known throughout the province—well known for its quality of service, well known because the Harris government tried to close it and was not able to do so.

I was happy last July to see the Premier announce our government's commitment to fund this project, and even happier when last Monday he was there for the groundbreaking program. I would like to ask the minister what this particular project means for the area, and how the



government has managed to be able to invoke such a huge amount of capital in our health care system.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** The Montfort Hospital was under an execution order from our former Tory government and is one of the over 100 hospital projects to begin construction under ReNew Ontario, our government's five-year, \$30-billion infrastructure investment plan.

The province is going to provide the lion's share of the funding; we estimate some \$185 million. What that's going to mean is that when the hospital is completed some time in 2009, we will double the size of the hospital to more than 700,000 square feet, including two new wings and a renovation to the existing facilities to expand intensive care, maternal newborn, mental health, ambulatory care and emergency services. When the work is done, the hospital will house 417 beds: 289 for in-patient, 128 for long-term care.

Large hospital projects like the Montfort are being funded under AFP, alternative finance procurement. This is an innovative new tool that allows a board like the Montfort Hospital to retain full public ownership—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**M. Jean-Marc Lalonde (Glengarry—Prescott—Russell):** Madame la ministre déléguée aux Affaires francophones, nous venons d'entendre des chiffres très intéressants de la part de notre collègue. Le nouveau Montfort va doubler sa superficie. Il pourra ainsi accommoder plus de patients et accorder plus de soins. C'est une excellente nouvelle pour cet hôpital, qui a connu un passé précaire sous l'ancien gouvernement. C'est aussi une excellente nouvelle pour les gens de ma circonscription, qui comprend au-delà de 30 % de sa clientèle. Il dessert non seulement les francophones, mais toutes les communautés.

Madame la ministre, en plus d'améliorer de façon significative l'accès des familles aux soins de santé, que représente cet investissement pour l'avenir de l'Hôpital Montfort?

**L'hon. M. Caplan:** Merci pour votre question. Madame la ministre for francophone affairs.

**L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones):** En effet, j'étais bien heureuse lundi dernier d'être à Ottawa à l'Hôpital Montfort avec le premier ministre pour la première pelleter de terre. On sait que le nouveau Montfort est très important pour la communauté francophone. Alors, je pense que c'est une évidence que l'Hôpital Montfort est un symbole pour la communauté francophone ontarienne.

J'irais même plus loin. Pour moi, l'histoire de Montfort reflète en quelque sorte la progression de la francophonie en Ontario. Vous savez que la survie et l'avenir de Montfort ont été acquis grâce aux efforts et à la détermination de la communauté francophone, et je voudrais rendre hommage aujourd'hui parce que vous savez que l'Hôpital Montfort est mon « alma mater ».

J'ai fait mon cours d'infirmière là et j'y ai travaillé pendant 14 ans. Je voudrais rendre hommage aux employés de l'Hôpital Montfort, aux infirmières, aux médecins qui y travaillent, et surtout à M<sup>me</sup> Gisèle Lalonde, qui a dirigé—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

1450

## ONTARIO PROVINCIAL POLICE

**Mr. John Tory (Leader of the Opposition):** My question again is to the Premier. It was reported this week that two OPP officers involved in the Caledonia incident had their cruiser surrounded and were subsequently detained for a period of time after making, as your minister described it yesterday, a “wrong turn.” Can you explain the concept of the OPP taking a “wrong turn” anywhere within the boundaries of the province of Ontario, within their mandate to carry out the law and protect all of Ontario and all Ontario citizens? I don't think it's a concept most people in Ontario are familiar with.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Community Safety and Correctional Services.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the Leader of the Opposition for the question. The first thing I want to do is to commend the OPP for the incredible job they've done.

To answer your question directly, we're in a situation right now that is highly charged. You have raised the issue about the difficulties that are there. It is a very serious situation, and the slightest miscue can in fact set this thing really at a higher level than it is right now.

These two officers were brought into the area from another area. There was an understanding that nothing would be done to accelerate the tensions that were in that community, because a movement may be misinterpreted. They made a wrong turn. People on the other side, members of the First Nations, thought that somehow or other something was happening that wasn't, and that is what created this particular situation.

**Mr. Tory:** It's what we're here to do, which is to ask questions, because when you talk about that and say there's some sort of an understanding, then when it comes to the understanding the people of Ontario would have, I believe—that the OPP have a responsibility, a mandate, that they're charged with the responsibility of looking after all of the people of Ontario in all parts of Ontario—they would want to know what is the understanding here about wrong turns and no-go zones. Are there any other understandings anywhere else with anybody else in Ontario? It's not just about this situation and First Nations people; it's about the very fact there could be and would be understandings as to where the OPP would go.



What happens if there's a 911 call that comes in from somebody in that area? How does this understanding work vis-à-vis that? That is why it's important to ask these questions here, to have a discussion here, and indeed to have an independent investigation of this. So I ask you, will you share with us what is the understanding, who is it with and how many other understandings of this kind exist with respect to what the OPP do and where in the province of Ontario?

**Hon. Mr. Kwinter:** The primary understanding is that public safety is paramount. That is what the understanding is. Every situation is unique. Surely even you would recognize that this is a unique situation. This is a situation where, given the circumstances, this is what is being done. That doesn't mean that this will now be transferred to any other situation in Ontario. Every situation is dealt with on a case-by-case basis, and the proper response is tailored to make sure that public safety is maintained, and that is paramount.

### DOMESTIC VIOLENCE

**Ms. Andrea Horwath (Hamilton East):** My question is for the minister responsible for women's issues. Minister, today women from across the province came here to plead for your government's help. Too many women are forced to choose between hunger and violence. They are trapped in abusive relationships and can't afford to break free because of your McGuinty broken promises. Will you stop the clawback of the national child benefit and increase social assistance rates in Ontario like you promised, to help women and children escape a life of poverty and violence?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I will be happy in the supplementary to turn this question over to the Minister for Community and Social Services, responsible for social services.

But let me just say that about three years ago we received a report, which I believe was started under the former government, by outside groups who created a report called *Walking on Eggshells*. It spoke about the difficulty women face when they come from abusive situations and into the welfare system, and what we needed to do in order to change that. Since that time, we have launched significant training across the government, but especially in the Ministry of Community and Social Services, so that we better understand how we need to treat women who are coming from very dire straits. But even our funding, through our domestic violence action plan, has addressed in so many ways, across 13 different ministers who sit on this panel, to be sure that our whole government is focused on bettering services for women when they need them and where. I think this member has to acknowledge, it is a—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Ms. Horwath:** Back to the minister responsible for women's issues, because the poverty of children is a

women's issue and the poverty of women is a women's issue. So, Minister, notwithstanding the fact that these same women's groups say that your domestic violence action plan has been an abject failure in this province, Ontario is miles and miles behind on this particular file. In fact, in Alberta, you may want to know, a woman leaving a violent relationship can find immediate and real financial help 24 hours a day, 7 days a week. The Alberta fund covers transportation, accommodation, the setting up of a new household, food, clothing and other basic needs for women. Women receive financial help to pay for phone, legal advice, extended health coverage for their children, even relocation costs if they have to move out of their community to escape the threat of violence.

If Ralph Klein's Alberta can get it right, why can't Dalton McGuinty's Ontario?

**Hon. Ms. Pupatello:** I am happy to turn this over to the Minister of Community and Social Services.

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** First all, let me say that I appreciate this organization's commitment to help women who are in need across Ontario. I share their commitment. This government is serious about addressing the needs of Ontario's most vulnerable. Violence against women is unacceptable. We will do what we can to help these women in situations of violence. What we have done so far, first of all, is we have raised welfare twice—not once, but twice—a 5% raise, and this never happened before.

*Interruption.*

**The Speaker:** Clear the west gallery.

*Interjections.*

**The Speaker:** Order. Minister of Community and Social Services.

**Hon. Madeleine Meilleur:** Again, this government has raised the social assistance rate by 5%. Also, what we have done is we have increased minimum wage twice already, and we will increase it a third time in 2007.

The question that was asked about the national child care benefit supplement: We are permanently flowing through the 2004, 2005 and 2006 increases. We know there is more to do and we will continue to support those in situations of violence.

1500

### FEDERAL AGRICULTURE FUNDING

**Mr. John Wilkinson (Perth-Middlesex):** My question is for the Minister of Agriculture, Food and Rural Affairs. On Friday, May 26, I met with members of the Perth County Federation of Agriculture regarding our government's commitment to a long-term, sustainable agricultural funding formula. While we have asked for a multi-year funding arrangement on behalf of Ontario farm groups, the federal government's \$900-million budget announcement is a one-time payment. Weeks after the federal budget, we still do not know how the federal program will work, how much it will cost, whether it will support those sectors that Ontario farm groups have said



need the most support or what Ontario's share will be. Minister, can you report to the House on your efforts to find out exactly what the federal government is doing?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I thank the honourable member, who obviously works very hard on behalf of the agriculture community in his riding. I will say that the day of the federal budget I spoke with the federal Minister of Agriculture and asked to meet with him, and I followed up that request with two letters.

I'm happy to report that on Monday of this week I met with Minister Strahl. It was an opportunity for me to stress with the minister—because we have no details. Like members of the farm community in Ontario, like the producers I've spoken to you, I indicated to him that we're very disappointed that they did not commit to a multi-year strategy. But I also made it very clear—and we have no details, and he really didn't have any for me on Monday—that Ontario is looking for its fair share of those dollars for Ontario farmers.

The second point I made with the federal minister was that we wanted those dollars to flow to farmers as quickly as possible. The third point I made was that we wanted to—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Wilkinson:** Minister, I'm glad to hear that you and our government are pursuing the federal government for a fair deal for Ontario's farmers. Farmers in my riding of Perth-Middlesex need a multi-year funding arrangement in order to ensure that Ontario's agricultural sector remains productive, sustainable and strong. They'll be disappointed to hear that we have not been able to secure a multi-year funding formula with our federal partners. We know that the federal government has yet to identify how much money is available or how that money will be allocated.

Today, we have representatives from the farming community visiting the chamber, specifically the Ontario Cattlemen's Association. That's why it's important to ask today, when the federal government clearly outlines their plan for Ontario farmers, will the province of Ontario participate?

**Hon. Mrs. Dombrowsky:** We were very happy to see the members of the Ontario Cattlemen's Association here. I was able to be at the reception and happy to see so many members of this Legislature there.

I want to say to the people of Ontario, with respect to the announcement that was made by the federal government, we are committed to participating in the program, but we want to make sure that the dollars that are coming to our farmers in Ontario—that we're getting our fair share, that it's going to be distributed in a timely way and that it's going to address all of the complex needs that there are in that industry. In fact, I offered to the federal minister that we would be prepared to share with him any of the resources we have to assist them in making sure the dollars they've committed get to farmers in a timely way.

## NATIVE LAND DISPUTE

**Mr. John O'Toole (Durham):** My question is to the Minister of Transportation. Minister, as you know, Caledonia and the Six Nations have experienced traffic chaos over the last 100 days. The former Minister of Transportation was AWOL, so to speak, on this issue, unable to communicate what the Ministry of Transportation was doing to properly route traffic in and around Caledonia and the Six Nations.

Now, due to the McGuinty government's absence of communications, there is rampant speculation about the barricades: When they are coming down, what was offered to get Argyle Street opened and whether Argyle Street could be re-blocked, as we've seen in past weeks.

Minister, my question is quite simple: What progress, if any, has been made to facilitate the movement of traffic on Highway 6 north from Caledonia to destinations south of Caledonia on Lake Erie's shoreline?

**Hon. Donna H. Cansfield (Minister of Transportation):** Thank you very much for the question. To the honourable member, it's my understanding—and I may in fact refer part of this question to the minister responsible for aboriginal affairs—that the Ontario Provincial Police are involved in re-routing traffic on Highway 6 and have that situation under control.

If there are additional requests you were looking at, maybe you could give me some other information and I could follow through with you later. But it is my understanding that the Ontario Provincial Police have the situation under control and that the detour route is Highway 6.

**The Speaker:** Supplementary, the member for Haldimand-Norfolk-Brant.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** Minister, it's my understanding that you've made no progress. The OPP is rerouting traffic off Highway 6 and through downtown Caledonia. I can attest that that's a disaster.

I quote from an e-mail: "The traffic situation in Caledonia is increasingly intolerable, likely due to the large number of vehicles coming through town instead of using the bypass."

Another reads: "With Argyle open and the bypass closed you now have all traffic routed through town, which is causing unbelievable traffic jams... It is actually worse for us now that only one barricade is down." Minister, you would know this if you would come down to Caledonia—or the previous minister or any of your colleagues.

My question: Minister, will you finally be straight with people in Caledonia? Specifically, will you provide us with an update on the negotiations to open up that provincial Highway 6 bypass?

**Hon. Mrs. Cansfield:** I'd refer the question to the minister of aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Tomorrow, the long-term working group with Barbara McDougall



and Jane Stewart reconvene with Grand Chief Allen McNaughton. We now see that there's a transition from the short-term discussion to the long-term table because it has been very apparent, as I've said, as of the last few days that the federal government now has the tools of land claim resolution that we think it's going to take to even solve the short-term solution here. That is going on tomorrow. Those discussions now are merging at that table. We're hoping for a very positive outcome.

### HEPATITIS C

**Ms. Shelley Martel (Nickel Belt):** I have a question for the Minister of Health. Minister, the government of Ontario recently paid for ads on hepatitis C that appeared in subway stations and on bus shelters. They read, "Share your works and you could share hepatitis C and HIV." "Share your straw and you could share hepatitis C." "Share your steroids and you could share hepatitis C." Two of the other ads featured individuals who got hepatitis C from a tattoo and the other from drug use.

There were no ads reflecting the tragic reality that thousands of Ontarians got hepatitis C—through no fault of their own—through tainted blood. The clear impression left was that those who have hepatitis C or those who get it, get it because they use drugs, tattoos or share needles.

Minister, can you tell this House who authorized the ads, and why did they reflect so badly on victims of hepatitis C?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** There's a very different perspective than the one offered by the honourable member with respect to the issue of finding all of those in our society who have acquired hepatitis C by any means.

The work that was done by the previous government on hepatitis C was found by hepatitis C advocates themselves to have left those who are street-involved and the like outside of the scope of trying to find them, with a view towards getting them tested, enhance their treatment and pay them any resource that is appropriate. This was a recommendation that came to our government from the hepatitis C task force which I struck, which has been chaired by John Playter.

I'm the one who authorized them. I'm very, very proud of them because, for once, as relates to hepatitis C, we're seeking to address the reality that many of those, street-involved and others, are in need of all of the help that the health care system can provide. Many people—advocates for hepatitis C sufferers—on the front lines felt like they had not been captured in earlier efforts. Accordingly, I accepted their advice and am proud to stand by these ads.

**Ms. Martel:** If I might, the first individual who brought his concern to me about these ads was Mr. Ernie Zivny from Sudbury, who is a hepatitis C victim from tainted blood, who sits on a subcommittee of the hepatitis C task force. It's very clear that these ads were not shared with all the members of the committee or the subcommittee.

Let me give you another note from someone else who wrote to me about this, who said: "Can you please view these posters that the government of Ontario are using depicting hepatitis C as only a drug virus, that you can only contact hepatitis C through drugs or tattoos.... Why are they showing this? Why are they not showing where it first came from—tainted blood transfusions? Are we being depicted as drug users so we do not get the public support for compensation or for anything? We are laced with the stigma as a result of these posters. Even my own daughters asked me if I was a past drug user and if this is how I got my hepatitis C."

Minister, these ads undermine people who got hepatitis C through the tainted blood system. Why did you authorize this?

1510

**Hon. Mr. Smitherman:** The honourable member, with the rationale she advances, seeks of us to operate with amnesia, as if the broad, widespread knowledge does not exist from the actions, as an example, of the Krever commission with respect to the circumstances associated with how many Canadians were the recipients of tainted blood product. This is extraordinarily well known and has been very proactively addressed.

We continue to have 60 people a month who make application to the Ontario fund for additional resources. But from all the advice that came along when all those hepatitis C groups were put together, those who were involved with hepatitis C sufferers on the front lines, people who were experienced with respect to marginalized populations, said that hepatitis C strategic planning in Ontario had not included those. There's a tremendous risk of enhanced infection related to those populations because they have not been tested and are not necessarily aware of their status. Accordingly, it is an appropriate public health response, in the circumstance, to move forward. But our sympathy is with all of those, no matter how they contracted—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. New question.

### FOOD SAFETY

**Mr. Pat Hoy (Chatham-Kent Essex):** I have a question for the Minister of Health and Long-Term Care. Recently, at the Art in the Park festival in Windsor, the public health unit inspected the food to be served at the event and subsequently destroyed one of the vendors' products. I know that safety is very important, but this group has been preparing sandwiches for this event for 20 years without incident.

It seems to me that the health unit acted very aggressively without proper cause. Please tell me that the actions of this particular public health unit are not the norm and that we are not putting undue pressure on organizations that wish to sell food to raise funds for charity.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I want to say to the women who



were working as Friends of Willistead that today on radio in Windsor I indicated that I'm going to make a personal contribution to support the work they've been doing, in recognition that across Ontario community comes together, and one of the things they often come together around is the idea that everybody brings a little something, that there is a contribution of community resource for a wide variety of community fundraising events. I've characterized as offensive, and in a variety of other ways, the circumstances related to the actions of that health unit, and I stand by those remarks.

We have had a regulation on the books since 1990. Health units have chosen to move forward with various forms of enforcement. I want to let members know that cabinet has approved an alteration to the regulation, and a communication will be coming forward as that goes into effect on June 15. At the heart of it, public health units will not be spending their time enforcing the idea of the risks of egg salad sandwiches, but rather helping people to be better informed—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Hoy:** It's indeed good to hear that the unique needs of community events are being recognized and that this inappropriate behaviour will cease.

Public health units, however, play an important role in our communities, and their talents should be put to better use. If public health units are no longer investigating church suppers and community events, does this mean they will have no involvement in the food being prepared there, and will the public lose out as a result of this?

**Hon. Mr. Smitherman:** Obviously our public health units are taking seriously the responsibilities associated with the problems that food can present—a little too seriously, I think we would all agree, or far too seriously in the case of the circumstances that are before us.

With respect to farmers' markets, we will exempt farmers' markets from the regulation that had public health officials treating them the same as restaurants and grocery stores. As relates to church suppers, we're going to adopt the policies that have been used on wild game suppers, which is to give advice to all the people who are there that the food has not been inspected, and that the notion of the awareness we have of risks with consuming a variety of products—the common sense associated with that, developed over a period of decades—ought to suffice.

We will move the energy of public health units to proactive communication—to assisting people in highlighting risks—and seriously curtail enforcement activities that undermine the work of our public health units.

#### NATIVE LAND DISPUTE

**Mr. Tim Hudak (Erie–Lincoln):** In the absence of the Premier, I will ask the Acting Premier if he would stand in his place and apologize to the people of Caledonia, Six Nations and area for the bizarre and in-

sensitive remarks of the Premier yesterday that the 99 days of Caledonia have proceeded without incident?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Quite the contrary. I have the privilege today of standing, proud to support all the remarks of our Premier on this issue. We represent a government that takes a decidedly different approach than you do. We have witnessed from a variety of members opposite, and most especially the local member, a desire to send in the police, to get involved in the actual operational nature of police service. Rather, we continue to support the leadership of our colleague the minister of aboriginal affairs, who has dedicated himself, over a long period of time, to resolving this in a fashion that at the heart of it preserves our belief in human beings. This is our goal, and this is how we will continue to put all of our energy forward.

#### PETITIONS

##### LONG-TERM CARE

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Ontario Legislature that reads as follows:

“We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

It's signed by 518 people who are supporters of the Chateau Gardens long-term-care centre in Elmira. Of course, this petition has my support, and I've affixed my signature as well.

##### AUTISM SERVICES

**Ms. Shelley Martel (Nickel Belt):** I have petitions sent to me by Michelle Dewar of Ottawa, and they read as follows:

“Whereas the incidence of autism spectrum disorders has dramatically increased in recent years and Ontario's schools lack the required resources to accommodate this growing number of pupils; and

“Whereas children with ASDs are capable of academic success when they have appropriate support; and

“Whereas under the Education Act of Ontario, children with ASDs are legally entitled to receive appropriate special education programs and services; and

“Whereas many ASD pupils are denied their education rights and are suffering academically, socially and emotionally because of a lack of resources available to assist them with their disability-related needs; and

“Whereas the resources required to accommodate ASD pupils may include (but are not limited to) edu-

cational assessments; educational assistants; specialized personnel such as behavioural therapists, speech and language pathologists, and occupational therapists; specialized programs and curriculum (including social skills and life skills); transitional programs; and assistive technology;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) Increase funding for special education, and ensure that this funding reaches ASD pupils to meet their disability-related learning needs;

"(2) Develop educational best practices and pilot projects for educating children with ASDs so that every student with ASD across Ontario has access to the best possible programs and services."

I agree with the petitioners, and I have affixed my signature to this.

#### TRADE DEVELOPMENT

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly, sent to me by a number of members of the Canadian Auto Workers in Brampton, and I thank them for that. It reads as follows:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

It makes perfect sense. I support it, I'll sign it and I'll ask page Hartford to carry it.

1520

#### FISH STOCKING PROGRAM

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ministry of Natural Resources' provincial fish hatchery program annually stocks over 10 million fish into over 1,200 water bodies within the province of Ontario; and

"Whereas provincial fish hatcheries contain unique genetic strains of indigenous fish species; and

"Whereas recreational fishing is a multi-billion dollar industry and a huge contributor to tourism and the economy throughout the province of Ontario; and

"Whereas the world-class Great Lakes salmon fishery, as well as many local fisheries throughout the province, are dependent on the Ministry of Natural Resources' fish stocking program;

"Therefore be it resolved that we, the undersigned, respectfully petition the government of Ontario and the Minister of Natural Resources to refrain from any cutbacks or cancellations to this provincially significant program."

I affix my name in full support.

#### CHILD CARE

**Ms. Shelley Martel (Nickel Belt):** I have a petition that's been sent to me from Larch Street Kids, a great daycare in Sudbury. It reads as follows:

"Whereas hard-working Ontario families need affordable, accessible, licensed and regulated quality child care for their young children;

"Whereas child care is under threat in Ontario with the possible cancellation of funding agreements with the provinces for child care by the federal Conservative government under Stephen Harper and the failure of the McGuinty Liberal government to put the additional provincial investments into child care, as promised in the 2003 Ontario election campaign;

"Whereas Ontario needs a strong, made-in-Ontario, not-for-profit child care system with or without federal dollars;

"Whereas the province of Quebec is much more able to provide and preserve child care in the face of cancelled federal funding because it has a significant, strong and sustained base of provincial government funding;

"Therefore we, the undersigned, petition the government of Ontario to immediately begin investing the \$300 million to create child care spaces for 330,000 children as promised in the 2003 election campaign."

I agree with the petitioners and I have affixed my signature to this.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for York West—the member for Davenport. The member for York West wasn't standing.

**Mr. Mario Sergio (York West):** I'm going to give that to the member from Davenport.

**The Deputy Speaker:** The member for Davenport.



## GO TRANSIT TUNNEL

**Mr. Tony Ruprecht (Davenport):** Mr. Speaker, I would gladly give him my time, but the member is giving it to me. Thank you very much.

I keep getting a petition about the dilapidated bridge on St. Clair Avenue West. The petition is addressed to the Parliament of Ontario and the minister of infrastructure services. It reads as follows:

"Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

"Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair Avenue ... bridge;

"Whereas this bridge ... will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians.... It's dark and slopes on both east and west sides creating high banks for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

Since I agree with this petition, I'm delighted to sign my name to it.

## HIGHWAY 26

**Mr. Jim Wilson (Simcoe-Grey):** "To the Legislative Assembly of Ontario:

"Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

"Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

"Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe-Grey;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe-Grey."

Of course I agree with that petition and I've signed it.

## TRADE DEVELOPMENT

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I have a petition from the auto workers from Brampton. It says:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

I agree with the auto workers and I put my signature on it as well.

SERVICES FOR THE  
DEVELOPMENTALLY DISABLED

**Mr. John O'Toole (Durham):** It's my pleasure to present a petition on behalf of my constituents in the riding of Durham.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in other government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability

continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I'm pleased to sign this petition and support it, and I present it to Nolan.

### CREDIT UNIONS AND CAISSES POPULAIRES

**Ms. Shelley Martel (Nickel Belt):** I have petitions that have been sent to me by David Lepage of Northridge Savings and Credit Union Ltd. in Sudbury and they read as follows:

“To the Legislative Assembly of Ontario:

“Whereas there is an urgent need to amend the Credit Union and Caisses Populaires Act, 1994; and

“Whereas the 2004 budget acknowledged that Ontario's laws need to ensure an environment that enables credit unions to take advantage of strategies to strengthen their national presence and to take account of changes made by other jurisdictions; and

“Whereas the government committed in the 2004 budget to review the Credit Unions and Caisses Populaires Act, 1994, with an intent to introduce amendments to this act and others as necessary by the ending of fiscal 2005-06 or earlier, if needed; and

“Whereas Ontario's credit union and caisses populaires system provides essential financial services and advice to approximately 1.6 million people in the province and operate in about 40 communities where they are the only financial institution; and

“Whereas insurance professionals are competing directly with credit unions and caisses populaires on wealth management and personal loans;

“We, the undersigned, respectfully petition the Parliament of Ontario as follows:

“That the government of Ontario immediately fulfill its budget commitment and amend the Credit Union and Caisses Populaires Act, 1994, to provide credit unions with:

(a) “A level playing field with other Canadian jurisdictions, such as British Columbia and Quebec, by allowing Ontario credit unions to enter the business of selling insurance;

(b) “A level playing field with federally regulated financial institutions to allow credit unions and caisses populaires to own part or all of an insurance brokerage as a subsidiary;

(c) “A level playing field with the insurance industry by allowing fully licensed and accredited insurance retail professionals who are separate and distinct from other credit union staff to retail insurance on behalf of a credit union;” and

(d) “An amended act that provides the necessary flexibility and provides the credit union and caisses populaires system with the necessary tools to compete in the constantly changing financial services marketplace.”

I have affixed my signature to this. I agree with the petitioners.

1530

### LABOUR UNIONS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition. It's addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the rights of workers should always play an important role in the workplace;

“Whereas labour unions help promote and foster workers' rights and ensure that they get the best possible benefits when it comes to the work they do;

“Whereas the McGuinty government has always been a champion for the worker and continues to promote workers' rights through other means by increasing the minimum wage and amending the Employment Standards Act to allow for a more harmonious and just working environment for workers;

“We, the undersigned, support these efforts and encourage the McGuinty government to continue on the course of its revolutionary initiatives to enhance workers' rights and encourage the McGuinty government to make it easier for workers in other sectors of the economy to unionize.”

I support this petition, affix my signature to it, and give it to page Gregory, who is with me here today.

### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe-Grey):** I want to thank Dr. R.W. Banting of Niagara Falls for sending me this petition.

“To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

“Whereas this great Canadian's original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come.”

I agree with that petition and have signed it.



## ORDERS OF THE DAY

EMERGENCY MANAGEMENT STATUTE  
LAW AMENDMENT ACT, 2006  
LOI DE 2006 MODIFIANT DES LOIS  
EN CE QUI A TRAIT À LA GESTION  
DES SITUATIONS D'URGENCE

Mr. Kwinter moved third reading of the following bill:

Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Kwinter, the floor is yours.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I will be sharing my time with my parliamentary assistant for community safety, the member—

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: I believe a quorum may not be present.

**The Deputy Speaker:** Can we check for quorum?

**The Deputy Clerk (Ms. Deborah Deller):** A quorum is not present, Speaker.

**The Deputy Speaker:** Call in the members.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Clerk:** A quorum is now present, Speaker.

**The Deputy Speaker:** Further debate? Mr. Kwinter.

**Hon. Mr. Kwinter:** Thank you, Mr. Speaker. I'm going to start again just so that we make sure everybody understands that I'll be sharing my time with the parliamentary assistant for community safety, the member from Scarborough—Rouge River.

I'm pleased to have the opportunity to speak to Bill 56, the Emergency Management Statute Law Amendment Act, legislation that, if passed, would make Ontario even safer for its residents.

It is important, as we review this legislation, to remember that Ontario is the only province in Canada that doesn't have emergency powers legislation, and that leaves us vulnerable. Let me begin by saying that the McGuinty government is on the side of Ontario families concerned about crime and safety. That's why Bill 56 is an important step in our efforts to provide a strategy for emergency powers and improve the safety of everyone in the province.

Bill 56 would make Ontario's legislation more consistent with modern emergency powers legislation in other provinces and other jurisdictions worldwide. If passed, this bill would provide the effective emergency powers necessary for quick action to protect Ontarians in case of an emergency. In addressing this need, we are creating opportunities for stronger and safer communities and a stronger economy.

How we view safety, how we respond to emergencies and how we safeguard our prosperity must change to meet new challenges.

In an ideal world there wouldn't be a need for this legislation. Unfortunately, as everyone now knows all too well, the world as we know it is far from ideal. The tragic events of 9/11, SARS and the power outage in 2003 clearly demonstrated the need for a review of provincial emergency powers legislation. We need this bill because we must be prepared for emergencies no matter what their origin.

SARS presented us with a new and unknown threat. One of the most important lessons learned from it was that the challenge is not in planning for the knowable but in planning for the unknowable. The people of Ontario deserve effective measures that will allow their government to best protect them during emergencies, and they deserve to have those measures as soon as possible.

Bill 56, if passed, would give government officials the authority to make tough decisions quickly and in the best interests of the people, with the knowledge that legislation exists to support them. The question isn't whether the province is ready for an emergency; it's whether or not it has the tools it needs to ensure that it can act quickly and effectively when an emergency occurs.

With the passage of this emergency powers bill, we would put in motion the reforms needed to provide a comprehensive strategy for emergency powers. The government's current emergency response powers and responsibilities are set out in the Emergency Management Act passed by this House in 2003. That act is designed primarily to ensure that appropriate municipal and provincial infrastructures are in place to deal with a local or provincial emergency. It ensures that communities and provincial ministries have emergency programs and plans in place, and that they are tested and updated regularly. It also authorizes cabinet to assign planning responsibilities to ministers. The 2003 act was a good first step, but it doesn't go far enough to protect Ontarians in the case of emergencies.

Bill 56 is a fair and equitable bill that would protect the citizens of Ontario while ensuring the government is held accountable for its actions.

Ontario is Canada's economic engine. It drives the national economy and is home to a significant segment of the Canadian population. We are also on the border with the United States and have to protect our interests in that area as well.

We have taken the lessons learned from the committee that drafted Bill 138, the predecessor to Bill 56. Many of the details in this bill have been carried over from the previous Bill 138, which was drafted by an all-party committee of this House and introduced on November 1, 2004, by the Chair of that committee. But we have also incorporated a number of improvements to ensure that Bill 56 strikes the right balance between government protection of Ontario and the civil rights of all of its citizens.

By introducing Bill 56, the McGuinty government has taken a giant step forward in protecting Ontarians. The



bill would be used only during defined provincial emergencies and would not relate to everyday occurrences in the province. Provincial emergencies by definition are not, nor should they be, dealt with through statutes designed to address normal situations. The tools that Bill 56 would give us are the tools we may need in order to save lives when other measures are unavailable or inadequate.

If passed, these emergency powers would allow the Premier and cabinet to make emergency orders that would promote the public good by protecting the health, safety and welfare of the people of Ontario in a manner that respects the rights of individuals.

Every emergency situation needs to be managed. Bill 56 would give the government the authority and the tools it needs to effectively manage provincially declared emergencies. Those tools—the emergency orders in the bill—are ones that we hope we never have to use.

Even legislation designed to deal with events such as environmental spills deals with situations that can be reasonably anticipated. Such legislation does not really address the catastrophic event that would call for a provincial emergency to be declared. It is the nature of an emergency that no one can plan for all eventualities or anticipate all possible scenarios or individual issues that may arise. Another reason for considering general powers rather than changing existing legislation is that powers in existing legislation may not go far enough to cover the emergency situation at hand.

1540

This bill contains comprehensive powers that balance the need to protect Ontarians from the effects of potential emergencies with the need to maintain accountability for the government calling upon those powers when necessary. For example, we have the ability to establish facilities, to construct works and to procure goods. In order to do many of these things under existing legislation, we need to follow sets of rules that, in many cases, are very onerous and would not be practical in an emergency. Existing legislation is simply not designed for the quick response needed in an emergency. Clarifying the powers available to emergency officials in advance and having them in a single document would help them carry out their functions quickly and with assurance in an emergency.

Bill 56, if passed, would improve the province's ability to act quickly, decisively and in the best interests of the public. We have said all along that if passed, Bill 56 would make the government accountable for its decisions and would ensure transparency in its handling of emergencies. There are stringent requirements the government must follow. The bill would require the government to report to the public during an emergency. It also would require that the Premier table a report in this House within 120 days after the termination of a provincial emergency. That report would have to specifically address any emergency orders made and provide justification for those orders.

This House would have an important role under the bill. The bill provides that this assembly may disallow a

cabinet declaration of emergency. Further, only the assembly could continue a declaration of emergency beyond the time limits set out in the bill.

Bill 56 would make the government accountable for its actions prior to, during and after an emergency. Accountability and transparency are the necessary complements to the exercise of emergency powers. We are all accountable for our actions.

Accountability is paramount in Bill 56. The powers listed in Bill 56 have been well considered and have appropriate checks and balances in place. This is a balanced bill that offers similar protective measures to those in other jurisdictions. Since the legislation was introduced last December, we have met with many stakeholders, including the Ontario Medical Association, the College of Physicians and Surgeons, the Ontario Nurses' Association, the Registered Nurses Association of Ontario and the Coalition of Family Physicians. We have heard their views, and, as a result, we have clarified a number of sections in order to make Bill 56 easier to understand and use.

For example, some concerns have been raised about the duration of a leave of absence that may be available in a declared emergency. The proposed amendments clarify that the duration of the leave can be extended by regulations made under the Employment Standards Act. In addition, amendments are made to ensure that the timing of the leave of absence is consistent with the timing of emergency orders, whether they be extended or made retroactively. This amendment clarifies the job protection scheme.

There are a number of similar changes we have incorporated to alleviate the concerns of various stakeholders. Again, an important point to remember is that the point of this legislation would be to give the government certain powers to respond to a provincially declared emergency. The point is not to punish people. Let me be clear about what the proposed legislation would not do. It would not force any worker, health care or otherwise, to work if they chose not to. Bill 56 would not compel physicians to treat patients during an emergency, nor would it give the province the power to conscript workers. Far from it. In fact, the last thing we want to do is to make it more difficult for health care workers to do their jobs in an emergency.

What the legislation would do, if passed, is to authorize reasonably qualified persons to provide services where willing, and that is the key: where willing. It does not compel service; it allows service. For example, it would enable Ontario to reach out to Manitoba, Quebec or other jurisdictions to send us qualified physicians to help the province deal with an emergency for the duration of that emergency only. That is not conscription; that's co-operation. It would also permit licensed drivers to operate vehicles such as a full-sized bus, even if they were only licensed to operate an ambulance or a small bus. Again, other provinces, including Alberta, British Columbia, New Brunswick, Manitoba, Nova Scotia, Quebec and Saskatchewan, all have these types of powers.



The bill would permit the government, if necessary, to close public or private places where large numbers of people routinely gather; for example, closing all public beaches and parks, or shutting down businesses or schools situated close to an emergency site. If a mass evacuation of one community became necessary, the powers of Bill 56 could be used to establish an emergency shelter at, for example, a community college gym in another community. Alberta, BC, New Brunswick, Nova Scotia, Newfoundland, Quebec, Manitoba and Saskatchewan have this authority; Ontario does not.

Orders under Bill 56, if passed, could be used to prevent people from entering or passing through a specified geographic area. Orders could prohibit vehicular and pedestrian traffic on a given highway within a specified distance from a particular facility. This would be particularly useful in the case of a nuclear emergency, for example. Again, in this regard, Ontario's current legislation lags behind the federal government, British Columbia, Alberta, Saskatchewan, Manitoba, Quebec, Nova Scotia, New Brunswick and Newfoundland.

This is one of the reasons why Bill 56 is so important. It is our hope that, should an emergency occur, everyone affected will do their best to minimize the impact of the emergency and allow the proper authorities to deal with the emergency as best they can.

We need to learn from our past experiences and be even more prepared for the next time, because you can be sure there will be a next time. Bill 56 confirms our commitment to work in partnership with our stakeholders to manage emergency situations in a timely manner. It's an important part of our vision for the future.

Through the efforts of each one of us, we will rise to the challenge. It's no exaggeration to say that what is at stake is the safety and well-being of our families, our friends, our communities, even the world. Our future depends on how well we do as a society to address those threats, seize the opportunities we have, and prepare for and respond to emergencies, regardless of their source, whenever and wherever they occur. Clearly, we all share the same goal: to ensure the safety and well-being of the people of Ontario.

**Mr. Bas Balkissoon (Scarborough–Rouge River):** I want to thank the minister for sharing his time and allowing me to contribute to the debate on Bill 56.

As the Minister of Community Safety and Correctional Services said earlier, Bill 56 is a valuable piece of legislation and deserves all-party support in this House. Bill 56 is all about making Ontario an even safer place to live and work. If we're going to protect the interests of the people of this province, Ontario must catch up to the rest of Canada in its ability to respond to emergencies.

It is important to remember that the point of Bill 56 is to give the government certain powers to respond to a provincially declared emergency. As the minister stated, the government's current emergency response powers and responsibilities set out in the Emergency Management Act don't give the government officials the authority to make tough decisions quickly in the best

interests of the people as a whole. That act is designed primarily to ensure that the appropriate municipal and provincial infrastructures are in place to deal with a local or provincial emergency. It ensures that communities and provincial ministries have emergency programs and plans in place and that they are tested and updated regularly.

But that isn't enough to protect Ontarians in their time of greatest need.

**1550**

Before I review the bill in greater detail, I would like to remind the House of the other measures the McGuinty government has taken to protect the citizens of Ontario and support our emergency workers.

In August 2005, we launched the Safer Communities-1,000 Officers partnership program to help police services across the province hire 1,000 additional officers, with funding of \$37.1 million. We accelerated the program so that if police services choose to hire their full allocation, all 1,000 new officers will be trained by the end of this year—one year ahead of schedule. As well, we extended the funding for the previous government's 1,023 officers program to make it permanent. That means we will be providing \$68 million in funding each year for more than 2,000 police officers, in perpetuity.

In March 2005, we announced the Ontario fire service training program grant. This \$30-million initiative provided funding for fire services across Ontario, to assist them in meeting training needs and, where appropriate, to purchase equipment. The funding will further the cause of emergency management. It will ensure that firefighters have the training and tools they need to do their job and help minimize the risk of personal harm. No previous government has ever given fire services \$30 million for equipment and training.

That's just the beginning. Today, our government has taken the next step to achieve a safer, stronger and more prosperous Ontario. Bill 56, if passed, will enable Ontario to catch up to other jurisdictions in Canada when it comes to protecting its citizens and responding to emergencies. I would like to take a few minutes to review in greater detail a number of important aspects of the bill.

First, under the proposed legislation, cabinet or the Premier could declare a provincial emergency if the resources normally available to government were insufficient to respond adequately to a crisis. This declaration would last for only 14 days unless renewed by cabinet for a further 14-day period. Under Bill 56, cabinet would have the power to make emergency orders. However, cabinet may delegate the power to a minister or to the commissioner of emergency management. Orders made by the commissioner would only last for two days unless confirmed before then. Failure to comply with an emergency order or interfering with a person acting under an emergency order would lead to fines of up to \$10 million for corporations, half a million for corporate directors and officers and \$100,000 for others. We need these strong deterrents to assist our emergency workers to do the crucial work, and these penalties will apply to those who refuse to comply with emergency orders.



Bill 56 will provide authority to the Lieutenant Governor in Council to make emergency orders, including restricting travel or ordering evacuations; establishing facilities, such as emergency shelters or hospitals; and quickly purchasing and distributing much-needed supplies such as water, food or medicine.

Bill 56 would widen job protection for people who are unable to work due to a declared emergency. The bill will also require the government to report to the public during an emergency, and it would require the Premier to table a report in the House within 120 days after determination of an emergency.

With Bill 56, the Emergency Management Statute Law Amendment Act, we are putting in motion the reforms needed to provide a comprehensive strategy for emergency powers. Bill 56, however, is not the McGuinty government's only initiative in the area of emergency preparedness. Under the Emergency Management Act, every Ontario municipality was required to have an emergency response plan and have it filed with the emergency management office by the end of last year. I'm proud to say that every Ontarian lives in a community where such a plan exists. A majority of communities have achieved what is referred to in the emergency planning business as the essential level and many are well on their way to achieving the enhanced level of preparedness.

But it does not stop there. Last July, the Premier, after consultation with key government officials, mandated that all provincial ministries develop business continuity plans by December 31, 2005. I'm pleased to point out that every ministry in the government met the deadline. In fact, some ministries already exceeded the minimum requirements. This year, ministries will inform all Ontario government employees of the plan, and they will practise them to ensure they are complete, effective and understandable. In this way, should an emergency occur, whether it be natural, human caused or even an act of terrorism, the government will be well-positioned to continue to provide citizens with continuity of services. This is something the people expect and something they deserve.

In addition, Emergency Management Ontario developed and conducted Exercise Darlington 2005. It was a full-scale nuclear exercise involving hundreds of participants from Durham, Toronto, Peterborough, Ontario Power Generation, the Canadian Nuclear Safety Commission, Public Safety and Emergency Preparedness Canada and many provincial ministries, as well as the Commissioner of Emergency Management.

Emergency Management Ontario also developed and conducted Exercise Influenza Pandemic 2006, in conjunction with the Ministry of Health and Long-Term Care. This exercise involved 365 municipal, First Nations, federal, provincial, health NGO and private sector stakeholders.

Last month, Emergency Management Ontario participated in the 10-day Exercise Ardent Sentry. It was a United States homeland security exercise sponsored by

the North American Aerospace Defense Command and the US Northern Command, and was designed to test the ability to mobilize and deploy military resources under the defence support to civil authorities. It involved many organizations, including Michigan, New Brunswick, the Bruce nuclear facility and Windsor, among others.

I'd like to underline the need for Bill 56. None of us in this House wants decision-makers second-guessing themselves in the middle of a major emergency about whether they have the right power and authority or whether they don't. The residents of Ontario deserve to know that their elected officials are in control, that they know what they're doing and that everything possible is being done to keep them safe. Bill 56 enables us to fulfill that commitment and obligation.

**The Deputy Speaker:** Questions and comments?

**Mr. Robert W. Runciman (Leeds-Grenville):** I appreciate the comments of the minister and the member—I forget the riding—Mr. Balkissoon, I think is the correct pronunciation. I'll get it out yet.

Certainly, our members who sat through the committee hearings on the legislation expressed significant concerns, primarily centred, I think, around the extraordinary powers that will be given to the Premier of the day with respect to control over a whole range of things he or she will be able to have power over in an emergency situation. But by and large I think our concerns, when we talk about this, are primarily focused on the current occupant of that chair and the observations of that individual in action, or inaction may be a more appropriate way to describe it. Our concern really centres not so much around vesting them in the office but around the individual occupying the chair and those unelected folks who surround him and are clearly making the day-to-day decisions that could impact on all of us Ontarians in terms of rights being removed and extraordinary powers being lodged within the office of an individual in whom we do not have a great deal of confidence, given, certainly most recently, the situation in Caledonia, which has been allowed to fester into a significant public safety crisis, in our view, and has extended to the point where it is now, in historic terms, the longest land occupation by a First Nation in Canadian history.

1600

**Mr. Peter Kormos (Niagara Centre):** While I have the highest regard for the minister sponsoring this bill, I've got to tell you, the comments by the minister and his parliamentary assistant were, to say the least, a little underwhelming. But then again, the bill is somewhat underwhelming as well.

You know what's remarkable? The government had a chance, during the course of committee hearings on Bill 56, to listen to people like OPSEU, because it represents a whole lot of health workers, and people like ONA, the Ontario Nurses' Association, people who underwent the trial by fire of SARS, people who were significant participants in Judge Archie Campbell's inquiry/report.

We put forward a number of amendments based on the requests and recommendations of health workers rep-



resented by OPSEU, of nurses represented by ONA. Not one of those amendments was agreeable to the government.

I say that was a lost opportunity, because this is it. This is emergency management, I suspect, for a good number of years here in Ontario, and it simply is far from the effective tool it was referred to as by government speakers.

I'm going to have a chance later this afternoon to speak to the bill at some length and I'm looking forward to that after Mr. Runciman addresses the bill in his unique style.

**Mr. Jeff Leal (Peterborough):** I certainly listened carefully this afternoon to the remarks of the Minister of Community Safety and Correctional Services and his parliamentary assistant, the member for Scarborough—Rouge River.

My community experienced such an emergency situation on July 15, 2004, when 200 millimetres of rain fell in a four-hour period, virtually swamping the whole community of Peterborough. It really challenged the emergency measures planning of the city of Peterborough and the surrounding municipalities, and indeed Emergency Measures Ontario.

I want to comment on the great work of not only the minister, who visited the community that afternoon—he toured all the sites to see the damage that had been inflicted by that flood—but also Dr. James Young, who at that time was the director of Emergency Measures Ontario, who mobilized the resources of the province, got key personnel into the Peterborough area and certainly developed a very quick response to the situation.

Because of emergency measures planning, not only in the city of Peterborough but surrounding municipalities, there was no loss of life and no serious injuries, which is quite a remarkable situation, when you look at the damage in the community—in excess of some \$50 million—to think that there was no loss of life and no serious injury.

It's important, through Bill 56, that we look back at the SARS situation and the several floods in communities across Ontario to make sure the province develops an adequate response for those calamities that hit from time to time. I think this bill goes a long way to help that out.

**Mr. John O'Toole (Durham):** I'm certainly responding to the minister's comments today. I have the greatest respect for Mr. Kwinter and his intentions here, but I'm often required to monitor what actually is going on and the context in which it's going on in today's world, when we're seeing incidents of the threats of terrorism right here locally, as well as what's going on in Caledonia. You need some kind of discretionary authority—leadership, if you will—and we're failing to see a lot of that from McGuinty. Yet, at the same time, I recall Mr. Trudeau's comment, "Just watch me," during the War Measures Act. That was quite a scary event technically for the liberties that we fought for in the climate of the world.

It says, "Orders may be made in respect of many matters, including the regulation or prohibition of travel

to or from a specified area, the evacuation of persons and the removal of personal property from a specified area"—I think of Caledonia and what could happen if the wrong person was in charge—"the establishment of facilities for the care, welfare, safety and shelter of individuals, the construction of works and the restoration of necessary facilities, the procurement of necessary goods, services and resources, the fixing of prices for necessary goods, services and resources and the prohibition against charging unconscionable prices for such goods, services...."

You know, there is a lot in here to trouble the ordinary citizen and that's why a full debate—I'm anxious to hear the comments from our leading commentary person on this later this afternoon. The member from Leeds—Grenville has a great deal of experience, having served as the minister in this area, so I'm looking forward to his comments. There needs to be balance and consideration of who you give the power to—not about this bill, really. That's what this is about.

**Mr. Balkissoon:** I just want to thank the member from Leeds—Grenville, the member from Niagara Centre, the member from Durham and the member from Peterborough for their comments on Bill 56.

Bill 56, the Emergency Management Statute Law Amendment Act, is an important step for this government towards improving emergency management response in Ontario. Let me just say that the bill went through full hearings at committee, and we listened to all the deputations. The government made, I believe, 28 amendments on its own, and one by our colleague from the PC Party was also accepted.

The member from Niagara made a couple of comments about all the amendments that his party submitted, and that the committee did not accept them. Let me say to you that the government pictures emergency management, that we are at that higher level of the municipal governments, agencies, boards and commissions out there. They all have their own individual plans, and our plan is an overriding plan to assist in their plans.

A lot of the issues were raised by the amendments provided by the member from Niagara. We clearly outlined to him at committee level that those amendments are appropriate and we believe they should be done in the local plan, and that the stakeholders who appeared before us would be better to negotiate that with their particular employer in amending the local plan to accommodate their concerns. We truly believe that that is where it belongs, because if you have a local emergency, our bill wouldn't kick in until the local plan does the work first and fails to accomplish the needs in an emergency.

**Mr. Runciman:** I would request consent to defer the leadoff from our critic, Mr. Dunlop.

**The Deputy Speaker:** The member from Leeds—Grenville has asked consent to stand down the lead. Agreed? Agreed.

**Mr. Runciman:** I appreciate the opportunity to participate in the debate on Bill 56. I think it is an interesting piece of legislation, and I am somewhat familiar



with most of its components, although I'm not the critic in this area. I do know that it's giving extraordinary powers to the Premier and his cabinet to override virtually all Ontario laws. I suspect that most Ontarians are not really terribly familiar with the implications of the legislation, or how it might impact upon them in terms of things like prohibiting travel, that kind of authority, and giving the government the ability to force removal of personal property.

Even if average citizens were terribly familiar with this, I'm not sure that they would be overly concerned. I know we certainly have heard expressions of concern from people like Archie Campbell. I have not, and I'm not sure if he appeared before the committee. If he didn't, I would be somewhat surprised. Alan Borovoy didn't appear. I don't think the concerns are perhaps as widespread as some might have suspected, including myself.

1610

I was approached on this issue several years ago when I was Minister for Public Safety and Security by Dr. Jim Young, who was at that point the Commissioner of Public Security for the province. Jim's recommendations really came in the wake of two bouts of SARS and the massive North American power blackout, which I might point out are the only two occasions when emergency orders have been issued in the province's history.

I think what we see before us today is essentially a bill drafted by someone for whom I have utmost respect, Dr. Jim Young, who many of you will know is now an adviser to the federal minister of security in the federal government, a significant loss to the province but a significant gain for the country in having Dr. Young in place at the national level to provide advice, support and guidance to the new federal government.

I am not going to get into a lot of specifics about the legislation. Our critic will be doing that in the leadoff, and the member for Whitby-Ajax, Ms. Elliott, who also sat in on the committee proceedings, will be speaking during debate on the legislation and putting forward her concerns. I'm not going to indicate the Progressive Conservative position at the end of the day when this comes to a vote. I'll leave that up in the air for the time being. My only indication of the view is from my own personal perspective, and it's really based on my respect for Jim Young, his experiences, my experiences as a minister, when those two emergency orders were issued, and the challenges facing the world, but more specifically North America in the wake of 9/11 and the attacks on the United States.

One could say this debate is especially timely in the wake of the arrests last week of 17 alleged terrorists. Terrorism in our midst—alleged terrorism in our midst, I guess we have to say, since it will have to be decided by the courts. If you look at what we've been reading in the media, some of the circumstances surrounding this and some of the plans these individuals apparently had made, suggesting that sites like the CBC headquarters in downtown Toronto, the Toronto Stock Exchange and the Parliament of Canada being assaulted—the lawyer for

one of the defendants suggested that part of the plan was to behead the Prime Minister. This is pretty alarming stuff and difficult, I suspect, for most Ontarians and Canadians to digest and believe, that this sort of thing could or can occur in our midst.

I understand that reluctance. A few years ago, when I made mention of a report from the security group and the Ontario Provincial Police that there had been an Al Qaeda cell operating within Ontario, I was ridiculed by the Liberal opposition of the day for making that comment. Canadians generally, I think, have been having a difficult time coming to grips with the reality that there could be dangers posed to us from either external sources or, perhaps more alarming, internal sources. Hopefully, we are going to come to grips with that.

I was disturbed in the early days of the new Liberal government, actually from day one, when they changed the name of the ministry, which we had developed in the wake of 9/11, going from Solicitor General and Correctional Services to Public Safety and Security, to really highlight increased vigilance and concern over security issues in North America in the wake of 9/11. The ministry, the Liberal government, in their wisdom or lack of same, felt that that was inappropriate and removed the security component from that name, although we certainly have a minister of public security at the federal level and we have one in Quebec. For some reason, they felt it was inappropriate.

Perhaps that wouldn't have been too bad, but also we had the minister, who remains the minister, making public comments about security being essentially a federal concern and that that was not going to be a focus of this government. They felt it was essentially a federal responsibility. As well as changing the name and making those kinds of public comments, they quickly disbanded the Ontario Security Council, which was established to provide advice to the Ontario government, a completely non-partisan advisory group made up of distinguished Canadians: Major-General Lewis MacKenzie, probably the most distinguished ex-soldier in this country; Norman Inkster, a past head of the RCMP; and Dr. Jim Young, who chaired that group. We also had the provincial medical officer of health as a member of that advisory group. My security adviser, Scott Newark, who is now a security adviser to the federal government, was the liaison for my office as the minister responsible.

The minister, in defending his decision to disband this low-cost, significant advisory group, has gotten up in the House on a couple of occasions at least in response to questions from our critic, the member from Simcoe North, and said, "You guys, the former government, didn't even bother to have a meeting in a year, so it was meaningless to you." I went back and checked the record. That was not accurate at all. The last meeting of the security council was in March 2003, and we had planned to have a meeting following that. I didn't attend those meetings. I attended one of those meetings. We got the feedback from the advisory panel and then it went forward from there. We had intended to follow through



on a more regular meeting but then we, as you will recall, were hit with SARS, and not just one bout of SARS but two bouts of SARS. Then, following that, the waters were starting to calm and we had the great North American blackout—again, as I indicated earlier, the only two times in Ontario history where the government had to issue emergency orders and declare a state of emergency in Ontario. So I think there's a pretty good explanation of why that council wasn't able to get together: because Dr. Young, the provincial medical officer of health, our ministry and others were very occupied in terms of trying to deal with those situations. We had e-mail contact with our advisers and phone contact with them if they had input with respect to the challenges that we were facing as the government at that time.

So for the minister to get up and not respond to this in any meaningful way but to heap scorn on our critic and to suggest that we weren't utilizing these wonderful Canadians is simply inaccurate. I won't use any more disparaging terms, but it's unfortunate that he goes down that road and fails to adequately address what I think is a legitimate point in terms of the lack of priority given to security concerns by the McGuinty government.

1620

We saw this recently with respect to funding for Criminal Intelligence Service Ontario. One of the things we did was significantly enhance funding for Criminal Intelligence Service Ontario, and also enhance their relationships with other agencies—with CSIS at the federal level, with the RCMP, with municipal police services and with United States intelligence and policing services. I can tell you that the enhanced role of the Criminal Intelligence Service of Ontario was very much appreciated by other agencies at all levels, international and domestic. But we saw that this government earlier this year—last fiscal year, actually—was planning to cut funding to CISO. Our critic raised the issue publicly. There was some outcry, certainly from organizations like the Ontario chiefs of police. Because of the reaction, the government backed off. But again our critic asked a question in the House the other day: We appreciate that you have retained the funding, given the public pressure and the pressure from groups like the chiefs of police; make a commitment for the future that you are not going to impact on that funding. Again, the minister derided our critic and suggested he wasn't living in reality, while the minister was living in reality.

That kind of approach does no one any good. It certainly doesn't enhance the minister's reputation or standing with the intelligence community or the policing community in this province, or with people who are otherwise very much concerned with the security situation in the province of Ontario.

I do want to put on the record a number of things that I think have helped us in the last four to five or six years in the province, which the former government didn't receive much credit for and certainly isn't getting any credit for from the current government. But people who

are in the business know of the initiatives and the impact they've had.

One of the things we did was establish an OPP provincial emergency response team, PERT. We established an OPP anti-terrorism unit, an ATU. We created a police anti-terrorism training centre at the Ontario Police College. And, as I mentioned, we enhanced the Criminal Intelligence Service of Ontario with significant new funding.

We also, Mr. Speaker, enhanced the funding for the repeat offender parole enforcement unit, the ROPE unit. We dramatically increased that and expanded its mandate, because there were a significant number of people on immigration warrants who had been lost by federal authorities and had disappeared into the ether; I think the number was 35,000 people who had simply disappeared. Where they were and what danger they might pose to the country, let alone the province, was simply unknown. So we committed additional funds to expand the ROPE mandate. That was announced in the 2003 budget. We have been unable to confirm whether that money ever flowed, but my strong suspicion is that it hasn't flowed and didn't flow. I think that is another clear indication of this government's stand on combatting terrorism in the province of Ontario.

Another thing we did was the \$2.5 million annually for training in urban search and rescue—responding to biological, radiological or nuclear attacks, hazardous material handling—as well as additional money for the equipment to enable first responders to respond to those kinds of attacks: a subway attack, an attack like we understand these individuals were planning in downtown Toronto.

**Mr. Kormos:** Allegedly.

**Mr. Runciman:** Alleged, yes; I emphasize alleged.

Those funds have been put in place. We also enhanced the OPP hate crimes unit because of concerns about communities in the province of Ontario suffering harassment as a result of the occurrences of 9/11 and subsequent occurrences in Great Britain. I'm sure that will assist, given recent events in the province of Ontario.

We also hosted a counterterrorism summit in 2002. That brought together over 300 international speakers and delegates to share ideas about combatting terrorism. In April 2003, we hosted the Great Lakes Security Summit to work with our border partners to discuss security measures and border enhancement. That summit brought together senior officials from the emergency management area, economic development, the police and intelligence communities from, as I mentioned, certainly our province, but as well Quebec and all of the Great Lakes states. Governor George Pataki of New York state was the keynote speaker at that event.

In July 2003, I attended, along with Jim Young and my security adviser Scott Newark, the Northeast homeland security directors meeting in Burlington, Vermont, where we further discussed how we could work together, co-operative arrangements, enhancements of border security, and addressing those concerns that we share.



We also, as well as the business and trucking associations, very categorically stated that our economic health depends on an open border.

One of the things we did, because we did have an alert in the United States—I forget the colour codes used in the United States, but it was, I think, the highest alert that has been in place, probably following one of the—I don't think it was an actual attack, but there was a suggestion of an attack in the United States. We did something along the borders where we established emergency OPP command centres at the critical border points, probably one in your area, Mr. Speaker. We implemented a major traffic management plan, which was designed to control traffic destined for New York and Michigan. It was to minimize delays, provide electric signage, and allow for the timely flow of information so that it went ahead to the borders that so they weren't tied up dealing with paper at the border, and to ensure, of course, the public safety wasn't compromised.

We did something for which we again got a lot of ridicule from the Liberal opposition at the time. One of the things we did was we provided washrooms, portapotties, along those routes because of the traffic buildups, and drinking water for the truck drivers who were lined up there. But we were ridiculed for that, again by the Liberal opposition of the day.

One of the things that we were strong proponents of and pursued very aggressively, without any support or encouragement from the Liberal provincial opposition or the Liberal federal government at the time, was the creation of a North American security perimeter. We're talking now about the problems crossing the border and what it's going to do to tourism and to the economy. We have border governors concerned, and certainly provincial Premiers are very much concerned. If we'd moved down the route we were talking about five years ago, we might have been able to be in a position right now where we had a North American security perimeter agreement. That would have, I think, resolved a great many of the challenges that we're currently facing with our neighbours to the south.

Certainly, we've seen the latest charges being the lead on the major television networks, CNN contributing, I think, half an hour or an hour show on it and all of these sort of horror stories by US politicians about Canada being a haven for terrorists. You can understand the implications for us, not only at the border but for attracting tourists, conventions and conferences into this country. This just reinforces that, and it is truly unfortunate.

**The Deputy Speaker:** Questions and comments?

**Ms. Shelley Martel (Nickel Belt):** I know that the member from Leeds–Grenville made it a point to say that his critic tried to put a number of amendments forward and was very frustrated by the processing committee, that many concerns were raised. I just want to read into the record some of the concerns that were raised to the committee on May 11, 2006. This was on behalf of OPSEU. The representative was Patty Rout, who's a

member of the executive board for OPSEU and chair of the OPSEU health council, chair of the hospital professional division and a lab tech at Lakeridge Health Corp.

One of the two recommendations that I want to focus on that OPSEU made with respect to the legislation related directly back to their experience as a union during the SARS crisis. As they pointed out, Justice Campbell, in looking at this bill, has said on a number of occasions that it is extremely important that there be a well-established set of rules that set out the tasks and define the lines of responsibility during the course of an emergency and that this, of course, was lacking during SARS.

1630

Their point was that, "We do not believe that experimenting with completely new ways of running a complex facility should not take place during the course of an emergency, and instead, we think that the opposite direction should be taken: OPSEU believes that employers and their bargaining agents should utilize their existing collective agreements, which already set out the various provisions for staffing, scheduling, pay, emergency premiums, training, protection of occupational standards, accommodation of employees with particular needs and other matters that are essential to the running of a complex organization, as a basis for the employment of emergency workers."

They further said, "We believe that the existing arrangements, that is, collective agreements, provide for the best guarantee that there will be good communication, clear accountability and fair and sustainable employment during the course of an emergency. And we therefore recommend ... that the government expressly provide that existing collective agreements serve as the basis of employment during the course of an emergency."

Regrettably, as I understand from my colleague Mr. Kormos, who will be speaking next, that's not what the government adopted, despite this excellent presentation and despite Archie Campbell having recommended it to the government on numerous previous occasions.

**Mr. Richard Patten (Ottawa Centre):** I am pleased to respond to the member from Leeds–Grenville and some of his comments. It's obvious where his interests lie, in the whole terrorist area, although the bill takes a broader view and attempts to deal with emergencies, not just the growing fear that is being generated these days about terrorists in our midst and how quick the media often is to condemn people. I find it rather worrisome when I see some of the headlines and what that means. I worry about individual rights in a lot of these things.

However, that's not the point of the bill today. The bill today deals with being prepared and being responsive and having the things in place that will help people see through and deal with the effects of what the emergency is and the aftermath therein.

I would say to the member from Leeds–Grenville—by the way, on some of the things he pointed out, I would acknowledge that the former government did some things



along the lines of working with the federal government and dealing with some of these things.

I get a little worried about Americans talking about a North American perimeter because they also want a complete North American arrangement in terms of water, lumber and a lot of our resources. That's fair enough. They can say it, but it means we have to be sensitive to a lot of the things they continue to talk about.

One thing in the bill, though, that I will just bring home for people—I think the member from Leeds–Grenville might recall this—was when we had the ice storm back in 1999, I believe it was. I remember going out to the far reaches of Prescott–Russell carrying goods, blankets, candles, canned goods and things of that nature, and the price-fixing and profiting that went on was an issue that really had to be dealt with—

**The Deputy Speaker:** Thank you. The member for Durham.

**Mr. O'Toole:** I appreciate the insights of the member from Leeds–Grenville. In fact, he went way beyond the current response from this member who just spoke. He spoke for some time about the two incidents, SARS as well as the blackout, where this was first implemented in terms of when we were in government.

I think of it locally, as all members should. Recently in Durham region, a couple of years ago, they had the propane explosion in Bowmanville. It was quite a significant, newsworthy and tragic event to the extent that it was frightening and alarming as to how prepared we were. I want to compliment the chief at that time, Kevin McAlpine, and some of the constables—Dave Redwood, Sergeant Patterson, Pat Davidson and Glen Turpin—for responding quickly and representing the interests of the citizens first. That's really what the police are looking for here. They're looking for leadership that has the ability to make decisions in times of crisis.

It strikes me as quite interesting because during the FLQ crisis, I was working in Quebec. In fact, I was a part-time student at what was then Sir George Williams University. A well-known event was the computer crisis.

**Mr. Kormos:** Well, you know of Anne Cools.

**Mr. O'Toole:** Anne Cools, of course, was a Liberal Senator at one time, as you know.

**Mr. Kormos:** Not any more.

But at that time the crisis was that they destroyed the computer department, but quite frankly—she's a Conservative now; I understand that. At that time, she, along with others, was quite upset and there was the suspension of liberties. I can recall, and almost vividly visualize, Trudeau's response: "Just watch me"—that arrogant, smug kind of thing that I felt going across. So it's got to be handled very carefully. I think in this process here today we're talking about the context where there are some accusations of threats to our shared security, but other emergencies where this would be an appropriate tool. The right tool for the right time is what we're looking for.

I'm going to have a chance to speak to this bill in but a few minutes' time, but I listened carefully to the

opposition House leader and his comments on this bill. I'm looking forward to the lead speech by their critic, Garfield Dunlop, who served his caucus well, along with Ms. Elliott, on the committee. I respect Mr. Runciman deferring to the critic in terms of the thrust of their analysis of the bill.

One of the things I plan to talk about is the incredible attack on property and owners of property. The bill has the very explicit power given to the emergency management czar to unilaterally seize people's property. That, in and of itself, in the context of an emergency, may well be considered by some inappropriate extraordinary power, but what's remarkable in this bill is that it specifically denies persons from whom property has been seized, confiscated, expropriated, from using the Expropriations Act, amongst other things, to seek compensation for their loss. Rather than being able to go to a public tribunal and have that tribunal, that court guided by law, to determine the amount of compensation, that victim of the government is subject to the whim of the Lieutenant Governor in Council, the cabinet, behind closed doors, in the darkness and secrecy of the cabinet room, determining compensation at any arbitrary level they feel appropriate at that given point in time, with no explanation and, more importantly, no right of appeal by the person who's seeking compensation. That is an outrageous proposition, the sort of stuff that takes place in third-rate dictatorships. It is. Take people's property and then no compensation.

**The Deputy Speaker:** Member for Leeds–Grenville, you have two minutes to respond.

**Mr. Runciman:** I appreciate the comments of all members. The Ottawa Senator—the Ottawa Centre member, Mr. Patten—

*Interjection.*

**Mr. Runciman:** He is an Ottawa Senators fan, for sure—raised the spectre of the ice storm, and I appreciate his comments in that regard, because I was also Solicitor General at that time. I think I was the Joe Btfsplk of emergencies.

**Mr. Kormos:** Hansard's going to have work with that one.

**Mr. Runciman:** I'm not sure I could spell it. But I agree with the member that certainly gouging was a real problem. That's one of the powers that the Premier and cabinet will be granted, to control prices under this legislation.

I indicated earlier that there are significant areas of concern which Jim Young talked to me ad nauseam about, and I think many of them are being addressed here. I'm not terribly concerned about the powers, in the sense that if indeed they are abused, we live in a democracy, and any government that does abuse these powers I think will pay the penalty in a very significant way.

I want to reference the North American security perimeter. It's funny, you know, that the federal government tried to edit my speech when I was in Washington talking about the North American security perimeter, and wanted to remove that from my speech because it wasn't



a position they supported. We refused to go along with it, although we were using their offices, for a whole range of reasons. The funny thing was, John Manley was Deputy Prime Minister at the time, and Minister of Foreign Affairs. Now John is in the private sector and a very, very strong proponent of the North American security perimeter. You go figure.

**The Deputy Speaker:** Further debate?

**Mr. Kormos:** I've got but an hour, and I'm going to try to go through the bill and explain to you why New Democrats cannot in anything akin to good conscience support this legislation and will be voting against it.

1640

First, though, I want to take just a moment to thank two of the people in particular who have been invaluable not only to me, as a member of the committee that looked at the bill, but to all committee members. They are Avrum Fenson, a long-time research officer here who prepared some very valuable stuff for us—I'm going to make reference to it today and I do want to give him credit—and Albert Nigro, legislative counsel, who, on relatively short notice, drafted a number of amendments for the members of the committee, and in the case of the New Democrats, a number of amendments, all of which reflected the concerns of members of OPSEU and ONA, health workers and nurses, none of which passed because the government opposed and defeated every single one of them.

We, in the New Democratic Party, were very careful to restrict our amendments only to those that reflected the input of ONA and OPSEU.

**Ms. Martel:** Front-line workers.

**Mr. Kormos:** Exactly, as Ms. Martel says. It's now recorded in Hansard as an interjection. Precisely. If you're going to talk to anybody about what you need out there across Ontario to respond to emergencies, good grief, talk to the people who have to do the responding; not the fat guys up here at Queen's Park on the 14th floor of the Whitney Block who get to do the directing, but the folks out there who are on the front lines, the veterans of SARS.

I just want to take a minute to pay tribute to health workers, nurses amongst them, who did superlative duty, and with great sacrifice, during SARS. The government and bureaucrats were doing their incompetent best in a scenario that they hadn't had any real experience in, and I suppose SARS—and that's what the Campbell report is valuable for—demonstrated the deficiencies. SARS was contained, controlled, responded to, so many lives were saved, even greater catastrophe was averted, not because of the big-money bureaucrats, certainly not because of the politicians, but because of those women and men working in hospitals, those women and men working as paramedics in ambulances, and not just in Toronto but across Ontario.

One of the things you've really got to reflect on when you're talking about emergency management is that the province of Ontario doesn't begin and end at the intersection of Yonge and Bloor. You know that, Speaker.

You're from a part of Ontario that's unique, historic, as far removed from Toronto—and the people down there I'm sure are grateful for it—as you could be, yet still very much a part of Ontario, part of the heart of Ontario.

Ms. Martel is from up in northern Ontario, and then you go up to Timmins–James Bay or Kenora–Rainy River, and you've talking about communities in Ontario that are incredibly remote, isolated, underserved, under-resourced, and for whom Queen's Park has, oh, about this much relevance.

**Ms. Martel:** If that.

**Mr. Kormos:** "If that," Ms. Martel says. This much. I'm holding my fingers an eighth of an inch apart—that much relevance.

These folks, good people, have to remind themselves from time to time that they live in Canada and Ontario. We were given some graphic exposure to that when we saw the victims of a water supply system that just collapsed, rotted out from underneath the folks in Kashechewan.

Just as big-city hospitals here in Toronto were coping with SARS, or I should say the staff of those hospitals, the health workers and the nurses, in small- and smaller- and smallest-town Ontario, they were doing the same. They came to the committee, they came to this government with thoughtful, well-prepared submissions based on facts and reality and experience. They came to Queen's Park, nurses and health workers did, to help build a solution, to help create a scheme for an adequate response in the case of an emergency, and Dalton McGuinty and the Liberals slammed the door in their faces. They just couldn't wait for that brief 20-minute spot in committee—think about it, Ms. Martel—to be over so they could just shoo these people out the door and then slam the door tight and lock it and bolt it once they were gone in case they thought, maybe, of coming back in. Shameful; sad; regrettable. What an incredible lost opportunity.

Let's take a look at the bill. Let's take a look at what it purports to address and let's take a look at what it doesn't do at all. For me, there are a couple of primary components—oh, let's talk about Bill 138 for a moment and why the Minister of Citizenship remembers Bill 138.

I remember, shortly after the election of three years ago, Ms. Broten, now Minister of the Environment, was charged by the Premier's office with the responsibility to use a tripartite committee to draft an emergency management bill. I was somewhat skeptical. I recall myself saying, "Oh, Ms. Broten, please. They're toying with you. They're just funning you. They're distracting you; they're sending you out to play: 'Get out of the house; the grown-ups want to talk.'" Well, it had that quality to it. You know, Ms. Martel, when you've got maybe a couple of couples over at the house and the kids are getting noisy? You send the kids out: "Go play in the backyard because the grown-ups are going to do some talking. Go entertain yourselves for a half hour or so." Or it was like sitting at the kids' table at Christmas dinner, huh? You had to go sit at the kids' table. Well, Ms.



Broten got sent to sit at the kids' table by the Premier's office.

She was adamant that this was for real, that this was really serious, that this was going to be a serious exercise. Then Mr. Zimmer—look, I've got to tell you, I like Ms. Broten. I have regard for her and I've got regard for Mr. Zimmer. Mr. Zimmer wanted to have a piece of the action too—he did. He suffered from the Toronto MPP syndrome, and that is, amongst other things, the inability to get press unless you do something incredibly stupid or outrageous. It's true.

So there were Mr. Zimmer and Ms. Broten in the corner, like in the WWF, and they were squaring off with one another. But up the middle came the Minister of Citizenship and Immigration, Mr. Colle. You've got to remember—take a look at the history of the Minister of Citizenship. He's the guy in front of the service station with the piece of cardboard four feet across and five feet high, except he holds it conveniently; he's not going to obscure his face. So there's Mr. Colle. Mr. Colle is one of the finest media tarts this place ever generated—okay?—one of the finest. A camera and a microphone and Mr. Colle—

#### *Interjections.*

**Mr. Kormos:** No, look, I say to his credit that he was out there fighting for controls on gasoline prices.

1650

**Ms. Martel:** What happened?

**Mr. Kormos:** He brought these issues to the forefront. That's what you've got to do. You've got to go out and do these things, these cheap publicity stunts.

So there was Mr. Colle—and again, he knew where media opportunities lay and he wouldn't miss one for a million bucks. I don't fault him for that because, don't forget, he wasn't in cabinet yet, right? He said, "No way are these two rookies going to"—because, look, he's an experienced member. Part of him said, "This is a little bit of a scam, but maybe it isn't." The all-party committee to draft legislation, and the government's really going to bring it forward for second reading? Yeah, sure. So Mr. Colle was there. He bumped the Chair, Mr. Orazietti, out of there. He gave him a body check that knocked Orazietti all the way back to Sault Ste. Marie—

**Ms. Martel:** Wait, he's there. He's right there.

**Mr. Kormos:** Where is he? Where? There he is; that's right. And we didn't see him for six months. Because he knew there was publicity to be had in this committee, and he wouldn't have minded some Toronto press coverage himself.

**Hon. Mike Colle (Minister of Citizenship and Immigration):** There was no press coverage.

**Mr. Kormos:** Colle says there was no press coverage. Well, that's right in hindsight; it wasn't worth the effort, was it, Mr. Colle? But let's go through the obvious exercise.

You've got Mr. Zimmer and Ms. Broten climbing on top of each other—right?—saying "Me first, me first," to the available microphone, both wanting to be the emergency management experts, the official sponsors of this

bill. Bill 138 is off in that black hole of legislative orbit as we speak—

**Ms. Martel:** In never-never land.

**Mr. Kormos:** Ms. Martel says "never-never land." In hindsight for Ms. Broten, I'm sure it was la-la land. Mr. Colle, of course, did well; he became a minister. Ms. Broten did well, of course; she became a minister.

**Ms. Martel:** What happened to poor David?

**Mr. Kormos:** I've got to tell you, David Zimmer is one of the incredibly capable people in the government caucus, and a person for whom I have a great deal of regard, but I think his meter is running, his ministerial clock is ticking, as they say. Here we are one year and three months before the next election. Have I got that sort of right, one year and four months? I think Mr. Zimmer is on his own.

**Ms. Martel:** He's not going to do that again.

**Mr. Kormos:** That's right. He won't be conned again. He won't be had again. He understands now what the line, "Will you still love me in the morning?" means. Mr. Zimmer is not going to be lured with one of those make-work projects again.

Bill 138 was going to be the be-all and the end-all—oh boy. We had witnesses and participants, and Ms. Broten wanted to hire high-priced Bay Street legal help. I was saying, "What are you talking about, hiring high-priced Bay Street legal help? You've got Mr. Zimmer here. You've got Ms. Broten here." Heck, Mr. Wong could have come in and given us some pro bono work. He wouldn't have minded. But oh, no, they were going to hire some \$3-billion-an-hour Bay Street lawyer with the big five-pound gold cufflinks, the Gucci shoes and all that sort of stuff, the silk shirts and Cartier watches and the big, fat Montblanc that's the size of a kielbasa—one of those lawyers' Montblancs you need two hands to pick up. She wanted to spend thousands and thousands—

#### *Laughter.*

**Mr. Kormos:** Well, it's true, Mr. Ramsay. She wanted to spend thousands of dollars on some Bay Street lawyer. I was saying, "For Pete's sake, this is all for naught. It ain't going anywhere. Don't get all excited. Go take a cold shower. This is just the Premier's office keeping you occupied"—and of course it was just the Premier's office keeping them occupied, and Bill 138 has never seen the light of day. Thank goodness I refused to have my name attached to it.

There it was, a little vanity exercise and a little diversion and a little bit of sending the kids out to play, making them eat at the kiddie table during Christmas dinner, all wrapped up in one. And it's out there. Bill 138 is still out there in legislative orbit.

I mention Bill 138 because one of the things we learned during the course of purportedly drafting the bill was that the Ministry of the Attorney General already had a bill drafted. For Pete's sake, once again, what was this 138 exercise all about? The AG has already got a bill drafted. They know exactly what they want and what they plan to do. Heck, this is a waste of time. We might as well all walk down to Sutton Place and have a glass of



milk or a glass of wine or whatever is your pleasure, assuming it is after 11 o'clock in the morning.

I mention Bill 138 because clearly this wasn't about Ms. Broten and the committee having the freedom to draft a bill; this was all orchestrated. One of the provisions that found its way into Bill 56—Bill 56 is pretty bare-bones; there are basically three significant sections. One of them, of course, is what will be section 7.2. Let's understand that unlike 138, which drafted a complete new Emergency Management Act, this is but amendments to the existing Emergency Management Act. Make no mistake about it: We have an Emergency Management Act. There's nothing new here. I suppose one of the disappointments in the minister's initial comments and the comments of the parliamentary assistant was the suggestion that somehow this is something new. It's not. This is merely amendments to the existing Emergency Management Act. Let's not try to pretend this is anything else.

One of the provisions imported from Bill 138, which was very much a part of the design, is what will be section 7.2 of the act, should this bill pass, and I know the bill will, because they've got a majority government and these people will follow their marching orders, if they get into the chamber in time.

"In the event of conflict between an order made under section 7.0.2 ..."—those are the extraordinary powers—"and any statute, regulation, rule, bylaw, other order or instrument of a legislative nature, including a licence or approval, made or issued under a statute or regulation, the order made under subsection 7.0.2 ... prevails"—prevails. That is shocking stuff. You understand what it means. It means the Lieutenant Governor in Council—the cabinet, the Premier—or, should those powers be delegated to the emergency management czar himself, an unelected, unaccountable person. Let's make something very, very clear—something that should be a concern to everybody in this chamber, because we're talking about it more and more frequently in the context of more and more tribunals, agencies, boards and persons with authority hired by the government. Let's understand that the emergency management czar is not accountable to the assembly. He—at this moment it's a he—is not an officer of the assembly. He's hired by the government, and he's accountable to them. It's wrong.

We had occasion to raise that with respect to the Ontario Human Rights Commission and the commissioner. She—in this case the commissioner is a she—is not an officer of the assembly. We discussed this in the context of debate around Bill 107. She's not an officer of the assembly; she's hired by the government. Ergo she is beholden to the government, just like the new drug czar will be, pursuant to Bill 102.

**1700**

Contrast that with, let's say, the Provincial Auditor, who is an officer of the assembly, who isn't hired by the government and is not beholden to the government. Boy, the government knows that, just as the previous government knew that and just as the government before that

knew that. The auditor is not beholden to any government, nor is the Environmental Commissioner, nor is the Integrity Commissioner. The New Democrats are very clear that a person to whom such extraordinary and arbitrary and unaccountable powers are being given ought to be accountable to the assembly and not to their boss, the government—the government with its political stripe to it, the government of the day.

Why do I begin by emphasizing this subsection (4) of what will be section 7.2? Because that's exactly what attracted the attention and the ire of Mr. Justice Campbell in the course of his inquiry into SARS and the reports he produced.

In his second interim report, released on April 5, 2005, Mr. Justice Archie Campbell made some comments about powers in Bill 138. The powers he commented on are the very same powers, because it's the very same section that was imported into Bill 56, and those are the powers to override "the foundational laws that underpin Ontario's democratic legal system including the Habeas Corpus Act, the Legislative Assembly Act, the Human Rights Code, the Elections Act, and the Courts of Justice Act."

This section gives the emergency management czar—the Premier—the power to override provincial legislation, in that an order made pursuant to the section providing for extraordinary powers shall—in the language of the act, "In the event of conflict between an order made under subsection 7.0.2(4) ... and any statute, regulation, rule, bylaw, other order or instrument of a legislative nature," the order made under subsection 7.0.2(4) prevails. It overrides provincial legislation, including, as Mr. Justice Campbell said, the Habeas Corpus Act, the Legislative Assembly Act, the Human Rights Code, the Elections Act and the Courts of Justice Act.

This is what he had to say in his second interim report, released April 5, 2005: "Bill 138"—now Bill 56—"provides, with one exception, that emergency orders prevail over every other Ontario law. Subsection 7.0.6(1)"—that is now 7.0.2(4)—"provides:

"In the event of a conflict between an order made under section 7.4 and any statute, regulation, rule, by-law or order, the order under section 7.4 prevails."

"This power is awesome," Mr. Justice Campbell says. "One provincial official described it, accurately, as grandiose. An emergency order could override" the statutes named above. "An emergency order could override any law that promotes the public good or protects individual rights. Any such proposal requires the most searching scrutiny...." That's from pages 373 and 374 of that second interim report by Justice Campbell.

A few pages over:

"In one particular respect the override power is deficient and dangerous. It is not reasonable to override the foundational laws that underpin Ontario's democratic legal system including" the statutes mentioned above. "The line might not be perfectly clear in respect of every statute...."



That's on page 379 of the second interim report by Justice Campbell, the second interim report on the SARS crisis by Justice Campbell—pretty disturbing. Newspapers report Commissioner Archie Campbell as saying that emergency management legislation gives government too many broad powers and it has to be overhauled by the Attorney General.

Note this, please: A very fundamental, a very critical inclusion that Mr. Justice Campbell called for is a section that would indicate that, in his words, “all health workers should have whistle-blower protection to report any public health hazard to medical officers of health.”

One of the things we learned from Linda Haslam-Stroud, the president of the Ontario Nurses' Association, when she spoke to us in the committee is that nurses were ringing alarm bells and were ignored; that nurses were fearful of ringing alarm bells for fear of being disciplined; that Ontario Ministry of Labour inspectors were not being permitted to attend at hospitals, among other worksites where nurses and other health workers were working, after reports of unsafe work conditions.

You see, big deal—big deal—that the government indicates in this bill that the Workplace Safety and Insurance Act, that the Employment Standards Act and, by inference, that the Occupational Health and Safety Act is going to remain in effect. So what if inspectors won't show up at the workplace and make orders?

The government and hospitals still aren't *ad idem* with nurses around the provision of face masks—pennies—so that these people, health workers and nurses included, can protect themselves in the event of another SARS-like epidemic, whether it's avian flu—I don't know.

Police officers: The Police Association of Ontario told us in no uncertain terms that the prescribed safety kit—worth, we're told, 10 bucks apiece; you can buy two for 20—that gives the police officer gloves and other protective equipment in the event that that police officer is called to a scene where biohazardous materials are present, where a police officer is at risk of being exposed, the basic kit that gives him or her the safety equipment—you know, the rubber gloves, the head hood and what have you; 10 bucks—still isn't in police cruisers here in Ontario. Good grief. How many years have passed?

The most fundamental things haven't been done, and this is the best the government can come up with? This? And nurses and other health workers were spurned by the government.

Let's take a look at those powers, because what I want us to do is to reflect on the Mississauga train derailment. The pages don't remember the Mississauga train derailment. It occurred long before you were born. But the age of people in here is, trust me, sufficient that almost every member of the assembly—there are a couple of young ones who were but kids when it happened. Hazel McCallion was just elected mayor over in Mississauga. The train derailment—it was a hot box. The barriers on a train that weren't properly attended to heated up. As I recall vaguely, the bearings seized up. A train carrying incredibly toxic gaseous content derailed, fell over, and the whole city of Mississauga, hundreds of

thousands of people, was evacuated. Not one life lost, was there, Mr. Colle? The whole city was evacuated in a reasonably orderly way. The cleanup took place. People were out of their homes for almost a week: no incidents of burglary, robbery, vandalism, and no Emergency Management Act, as in Bill 56.

1710

Why, it's remarkable. It's worthy of some discussion, because then-Justice Minister McMurtry, after the Mississauga train derailment, prepared a white paper on emergency management, and one of the brilliant observations he made, and I've got to tell you that he's one of the best legal minds in this province, was that the common law provides a great deal of flexibility when it comes to those emergency workers—police, firefighters, health workers, paramedics—and their ability to do things that codified powers may not. You understand what I'm saying, Speaker. Once you codify the power, then the fear is—and the observation is, be careful what you wish for. Once you codify it, you've got to live with the letter of the law. If the power is a common law power, you have the flexibility of the common law. So let's take a look at the codified powers here, because really, that's the thrust of the bill, that's what all the flag-waving is about: these 14 paragraphs describing supposedly new powers.

The other observation that was made in the McMurtry white paper was that as far as firefighters are concerned, it doesn't matter whether one house is burning or 100 are burning; firefighters still do what they've got to do. As far as cops are concerned, it doesn't matter whether it's one isolated incident or whether all hell is breaking loose all over town; they do what they've got to do. When it comes to health workers, nurses included, it doesn't matter whether it's one sick person in the emergency room or a lineup all the way around the block with a highly infectious disease for which we didn't have a good handle in terms of how to respond; health workers do what they've got to do.

Let's take a look at these powers. I asked high-priced help from the ministry at the very beginning of the committee process about some of these powers. Oh, I see: One of the powers is “Regulating or prohibiting travel or movement to, from or within any specified area.” Now, who on these Liberal benches is going to stand up and suggest to me that the authorities don't already have the power to regulate or prevent travel or movement to, from or within any specified area? Why, they shut down highways all the time. Up in Marathon—I remember, because a couple of times, going out west to work in the copper mines as a student, Marathon would get washed out. The Trans-Canada Highway would be shut down. Marathon would be washed out. Hampton probably knows about that. I'm sure he does. Highways are shut down all the time. They shut down the Gardiner and the DVP, to the chagrin of Torontonians, almost on a weekly basis, it seems.

*Interjection.*

**Mr. Kormos:** That's hyperbole, yes, because it isn't weekly, but it seems that way to folks who live there.



They shut them down because we've got fundraising or marathons. They shut them down because we've got that car race event, the motor racing event in the fall down on Lakeshore. So what's going on here? Please. This oh, so important bill that's going to enhance the province's ability to respond to emergencies, with the power to shut down travel to or from an area or movement to or from an area—it happens every day. You don't need Bill 56 to do that, for Pete's sake, do you, because it happens every day. Airports get shut down all the time. It's a simple matter of saying, "Sorry. No planes coming or going. We're shutting her down." Sometimes they shut down for good reasons, sometimes for not-so-good reasons.

Another with powers: "Establishing facilities for the care, welfare, safety and shelter of individuals, including emergency shelters and hospitals." For Pete's sake, again—sorry to be repetitive, but there are children here and I don't want to use the language that does come to mind more readily. But establishing facilities for the care, welfare, safety and shelter of individuals: Why do you need Bill 56 to do that? You simply call the board of education and say, "We've got a load of people coming in from"—well, Kashechewan to Sudbury, amongst other places. You set up the bunks and the cots and do the best you can. Folks come out as volunteers—inevitably, it's volunteers as well as professionals—and they take care of the people who have to be taken care of. You don't need Bill 56 to do that. Don't give us that baloney.

"Collecting, transporting, storing, processing and disposing of any type of waste." What do you need Bill 56 to do that for? What are you suggesting? If that were the case—the folks in that train derailment in Mississauga during Mayor McCallion's beginning years as mayor didn't have Bill 56. Nobody told anybody, "Don't go in there and clean up the gaseous substance." Of course not. Heck, there are oil and gasoline and diesel spills several times a year. People go in and clean them up. They collect the hazardous waste. They dispose of it in a way that's appropriate.

Let's get to the scary stuff. "10. Procuring necessary goods, services and resources." I was troubled by the use of the word "procuring," because it seemed to be very specifically used. I don't understand. Governments and governmental agencies and emergency responders use the tools they've got to use, and if they run out of those tools, they buy more. So why does it have to be a power given to the emergency management czar? A whole lot of people, myself included, suspect that it means pressing into service, suspect that it means compelling. I asked Mr. Avrum Fenson to do some research on the word "procuring," realizing, of course, that I'm sure there were some members of the assembly who were more familiar with the word than I was.

Mr. Fenson found, in Black's Law Dictionary, "Inviting or persuading" persons "to have illicit sexual intercourse"; it suggests that "procuring" means obtaining something by persuasion. Further, the Compact Oxford English dictionary: "persuade or cause to do something."

The Shorter Oxford English Dictionary: to "prevail upon, induce, persuade [a person] to do something."

Mr. Fenson then found a delightful judgment from the Los Angeles Superior Court. It suggests that procuring is distinctly different from bargaining to obtain, because in that California case—and I'll give you the citation: It's Vail v. Hayes from the Los Angeles Superior Court. The trial court "found that 'negotiating' means the manager is haggling over the star's rate for a part or appearance or arguing over when the star"—a movie star, presumably—"will show up—and anything else is procurement."

1720

So, you see, a bona fide acquisition of something is not procuring. The statute, Bill 56, could have said "Acquiring necessary goods, services and resources" or "Contracting for necessary goods, services and resources," but it says "procuring."

Then you've got to look at paragraph 11: "Fixing prices for necessary goods, services and resources...." Why would fixing prices be necessary, unless the government were going to expropriate, confiscate—

**Mr. Patten:** Because people gouge in emergencies; that's why.

**Mr. Kormos:** Mr. Patten raises a point. I hope he's in Hansard now, because I want to respond to him. You see, Mr. Patten, that's why the second half of paragraph 11 is there, because paragraph 11 provides for (a) "Fixing prices for necessary goods, services and resources and," (b), "prohibiting charging unconscionable prices in respect of necessary goods, services and resources" That's (b). I've got no quarrel with (b); I'm concerned about (a). It's one thing to say, "You can't price gouge"; it's another thing to say that the government has a power, an extraordinary power, to procure goods, services and resources and that, furthermore, it will fix the price for them.

Clearly, fixing prices relates to the procurement by the government more so than it does anything else, because forbidding charging unconscionable rates relates to the public acquisition of things or services, the sort of gouging that goes on from time to time. If you've gone to a bank recently—talk about being gouged. I wish the government—mind you, it's the feds in that case—would take a little more action about the gouging, the 29.9% interest rates on credit cards and, as Mr. Colle—

**Hon. Mr. Colle:** Cable companies.

**Mr. Kormos:** Mr. Colle is not a fan of cable companies either. I hear him complaining—

**Hon. Mr. Colle:** Monopolies.

**Mr. Kormos:** Yes, Mr. Colle, you're right. "Monopolies"—one of the biggest monopolies, Mr. Colle says. We go down the list of them. That's why there's a satellite dish on my old house on Bald Street; I can tell you that. There's a satellite dish down there and a band of tin foil around the ceiling of the living room.

So there's great concern about these powers, including the power not only to confiscate and expropriate property, because you see, that directly relates to the section I



referred you to, and that was 13.1. Take a look at this. If the bill wasn't contemplating confiscation of property, why would it be necessary, then, for section 13.1 to say, "Nothing done under this act or under an order made under subsection 7.0.2(4)"—those are the extraordinary powers—"constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law and there is no compensation for the loss, including a taking, of any real or personal property except in accordance with subsection (3)"? Subsection (3): The Lieutenant Governor in Council will decide in the darkness and the privacy and secrecy behind the closed, locked doors of the cabinet room: no appeal by the person who suffered the loss.

Yes, I happen to believe in the rule of law; I happen to believe people who have suffered losses should be entitled to go to our public courts and, in a public arena, with public scrutiny, with the application of laws that we all know and understand—well, we may not understand them, but we know them—to seek redress for any losses. This bill specifically denies people that right; once again telling somebody that the state can come by and seize your real or personal property—understand that that's what it says: "loss, including a taking, of any real or personal property." Real property is property: land. Personal property is everything from your car to your bank account. That's what personal property is down where I come from, law books I've been inclined to read. So they can be seized, confiscated, taken, and no compensation, other than what cabinet decides, and what that really means is the Premier's office, of course. Pretty scary stuff.

Let's go to evacuation, because that's one of the powers in subsection 7.0.2(4), and that is, one of the extraordinary powers is the power to evacuate "individuals and animals and removing personal property from any specified area and making arrangements for the adequate care and protection of individuals and property."

The Mississauga train derailment: Hundreds of thousands of people were evacuated. There was no Bill 56. People get evacuated all the time in Ontario—not all the time, but from time to time when there are crises and when there are threats to health and safety. You don't need Bill 56 and subsection 7.0.2(4) with those 14 paragraphs providing the extraordinary powers that have the capacity and will override any existing statute, including the Human Rights Code, the Legislative Assembly Act, the Habeas Corpus Act and the Elections Act. We know what that means, don't we? So much for fixed election dates. Overriding the Human Rights Code: We know what that means, don't we? Ignoring and violating the rights contained in that statute.

There was some bizarre discussion—bizarre? It was wacky, it was flaky—about how firefighters entering onto property—oh, for Pete's sake, once again I say to you, however repetitive it is, because the words that come to mind are not appropriate. Firefighters don't worry about being charged with mischief to private property when they kick down a door because they're saving

somebody inside there, or about being charged with trespassing or break and enter. Don't be silly. Cops don't think about, "Oh, I may be charged with trespassing if I go in there in response to the sounds of that screaming person." Of course not. So their argument is spurious, the argument by the government and their advocates of this type of extraordinary power.

The power to override statutes: The last time we, as Canadians, experienced that was the War Measures Act. I do not want to, nor would any New Democrat, express any naïveté about the fact that Canada is capable, Ontario is capable, Toronto—any one of our communities is capable of being the target of terrorism or mere madmen. The two may well be the same. Of course. I mean, 9/11 taught us. Because we North Americans thought we were immune: "We know people in Greece have terrorists bombs, people in Turkey have terrorist bombs, people in Chechnya; people in Tel Aviv are blown up by terrorist bombs—not us." That isolation is over.

1730

I don't want to express or demonstrate any naïveté about that, but I do have concern because I remember the War Measures Act. I remember the hundreds of people who were arrested and detained, not one of them an FLQ terrorist. There were trade unionists arrested and detained, there were socialists arrested and detained, there were artists arrested and detained, there were poets arrested and detained, there were filmmakers arrested and detained—hundreds of people in Quebec alone—but not one FLQ terrorist. And the War Measures Act was used by the RCMP across Canada to apprehend and question countless numbers of people.

I'm not suggesting that this is the War Measures Act, but I'm suggesting that when legislators are called upon to pass a law that has the power to override other laws for significant periods of time without consultation of the Legislative Assembly, and when there is no demonstrated or demonstrable need for these extraordinary powers, we have cause for concern. Evacuations take place—always have and always will—without Bill 56. Highways are closed, airports are closed—always have been, always will be—without Bill 56. Schools and gymnasiums and arenas are set up as destinations for evacuated persons who need shelter—always have been, always will be—without Bill 56.

What you can't do without Bill 56 is confiscate property without compensation. You need Bill 56 to do that. You can't press people into service. You need Bill 56 to do that. And finally and ultimately, you can't violate collective bargaining agreements. You need Bill 56 to do that.

Understand what "fixing prices for ... goods, services and resources" really means: that collective bargaining agreements of any number of workers, including emergency response workers, are worth this because the government refused to accept, voted against and defeated an amendment that would protect collective bargaining agreements from the provisions of this bill. That's got OPSEU members and ONA members—quite frankly,



that has rotted their socks and left a very foul taste in their mouths.

Really quickly, I want to examine some of the recommendations. OPSEU wanted it to be clear that the basis, the foundation, of emergency management is to sit down with the workers involved in emergency management and negotiate and incorporate into their collective bargaining agreements protocols around emergency response. That's pretty basic. As the cook on the Food Channel says, it ain't rocket science. You sit down with these workers—and they're eager to. ONA members, OPSEU members, SEIU members, CUPE members, CAW members working in the health field—I don't want to speak for the CAW, but I presume they are—are eager to sit down with their employers and negotiate protocols around emergency response that are going to be incorporated into those contracts. What we learned from these same workers and their representatives is that their management, their bosses, have been disinclined to do that to date. Furthermore, and more importantly, the government defeated amendments that would guarantee that.

OPSEU wanted clear job protection for workers who were drawn into emergency management response. Government wouldn't support that amendment.

Finally—and this was a matter of some wacky exchanges in the committee. That was around the indemnification section of the bill, because the bill, like most bills of this nature, protects people acting in good faith in the performance of their duties pursuant to the act from litigation.

Right? You're very familiar with that, Ms. Martel. You've seen it lots of times, and it's not an inappropriate inclusion. It's the standard sort of indemnification.

Well, workers and their unions recognized that. They said, "Okay, but if it's going to be a real indemnification, we need the ability to defend ourselves." What that meant and means is that—well, let me say it the way OPSEU said it:

"OPSEU further recommends that workers be indemnified for reasonable legal costs incurred in respect of any proceeding in which the health care worker's manner of execution of her duties during an emergency was an issue, if the member is found to have acted in good faith."

One member of the committee, some jailhouse lawyer, says, "Oh, well, that means they can't be sued. So what do they need indemnification for their legal costs for?" Well, what a dough-headly comment to make, because if you're going to use this section, the indemnification, you've got to plead it, you've got to establish it, you've got to go to court, argue and prove it. You can't wave it like a flag. If you get sued, if you're one of those workers who gets sued for something you did in the performance of your duties in good faith pursuant to the Emergency Management Act, yes, your defence is, "I did it in good faith and I'm indemnified. You can't sue me," but you've got to go to court, and by the time the lawyers are finished with you—Mr. Wong can tell you—thousands upon thousands upon thousands of dollars of legal fees. Good grief. You're talking about spending \$50,000 to

successfully defend yourself. Oh, sure, maybe the court will award costs, but Mr. Wong will tell you once again that when a court awards costs, it's never full costs.

So all that OPSEU was saying was, look, you've got the indemnification section, God bless, but then please ensure that reasonable legal costs—if that isn't an oxymoron—are paid for or compensated in the event that the worker was successful in defending him- or herself using the good faith provision. That's a modest proposal, isn't it?

Nothing. Nothing. Nothing. Not a single thing, not a single section of this bill is going to enhance the capacity of communities, workers in those communities, people in those communities to respond to emergencies, to crises. In fact, the real commitment of this government, if it's serious about emergency management, isn't just plans and planning, because communities have done that planning. All the plans in the world are worth diddly-squat if you haven't got the resources and the staff to implement them. If you haven't got the health workers, the health professionals, if you haven't got the emergency room space, if you haven't got the firefighters with the right equipment, if you haven't got the police service, police officers, women and men, with the right tools to go out there and respond, all the plans in the world mean zip. It's not about Bill 56 and extraordinary powers for some unaccountable emergency management czar; it's about recognizing that emergency management takes place on the ground in communities big and, more frequently, small and smaller and smallest. This government has denied that reality of emergency management.

This is window-dressing of the most cynical type. This is fluff. This is knee-jerk. It's ill-conceived, ill-advised. New Democrats want no part of it, and the bill should be abandoned now by this government.

1740

**The Deputy Speaker:** Questions and comments?

**Mr. Balkissoon:** I just want to say thanks to the member from Niagara Centre for his input and comments on the bill. He mentioned that during SARS there were many health and safety issues and the inspectors were not available from the Ministry of Labour. Let me say that that incident took place during the previous government. This McGuinty government has worked very hard in the last couple of years to improve relationships with the Ontario unions and we will continue to work with them to improve working conditions. In fact, the Ministry of Labour has also augmented their inspection staff. We are of the opinion that such an incident should not repeat itself.

He also went on to mention many issues raised by the stakeholders who came to the standing committee. Let me say to you that we recognize the issues that he raised around collective agreements, but clearly, with the numerous collective agreements around the province, trying to deal with individual collective agreements in a bill will just make it more complex and more difficult for the industry to understand. The government truly believes that because we've built this relationship with the unions over the past couple of years, we are of the opinion that



employers and their unions will deal with emergency planning in the future a lot better and those situations will not recur.

Certainly we believe we need this bill. It would give the government the powers it needs to deal with an emergency. Let us all hope that there will not be one. But we cannot predict the circumstances that will occur in the next emergency, unlike the Mississauga derailment.

**Mr. O'Toole:** The member from Niagara Centre in his one hour certainly made some arguments that need to be listened to and supported, because you're always looking for the protection of individual rights. Also, which takes precedence, the greater good for the greater number or individual rights? If you look at this bill, it says, under "Purpose," in section 7.0.2:

"The purpose of making orders under this section is to promote the public good by protecting the health, safety and welfare of the people of Ontario in times of declared emergencies in a manner that is subject to the Canadian Charter of Rights and Freedoms."

They've tried to include that. For us, this bill, quite frankly, is a matter of trying to find the trust in the McGuinty government to execute this bill in a fair, reasonable and open manner in what is declared as an emergency as such.

When you look at the response to the current issues before the government—not to inflame or provoke—certainly the media reporting of a suspected terrorist plot or whatever constitutes a threat. Probably much of that would be of a federal nature, I suppose, but the suspected evidence is in the province of Ontario. I would look for leadership on this, as I would in the Caledonia issue. What role does the government have, not necessarily for enforcement, but finding some role to make sure there's peace, harmony and respect, as I've described the purpose clause here? In that execution and leadership, to me, the challenge is to have the ability to trust that challenge.

As I said, there are provisions in here for litigation, and in the fines section, and for extensions. The offences under section 7.0.13 are fairly extensive, and there's protection from action in section 11, all of which raise questions for me against this bill, but it's badly needed.

**Ms. Martel:** I want to reinforce some of the points that were made by my colleague Mr. Kormos. Number one, ONA came to the committee and made it very clear that they would like to see the protocol for emergencies—what will happen, how things will work—put into collective agreements. That was why a provision was moved for that same thing to happen by my colleague Mr. Kormos. I hear the government say, "This is too difficult." It is a matter of putting into the legislation a provision that says, "Where collective agreements exist already, then the employer and the employees will be required to bargain emergency protocols." This is not a problem. This is not a dilemma. Where collective agreements exist, this is what is going to happen to make sure that protocols are in place. This is not a hard thing to do, and the government should have put in an amendment, should have passed our amendment to that effect.

ONA came to the committee and said, "We are very concerned that we need whistle-blower protection so that we can raise urgent matters during the course of emergencies without repercussions." So my colleague Mr. Kormos puts forward an amendment that talks about whistle-blower protection for these front-line workers—and that's who they are, the people who are going to be most responsible during a SARS 2 crisis—and the government can't find its way to accept that, despite all the new good relations the Liberals claim to have with unions. So on some of the issues that are key to the people who are going to be most directly involved in emergencies, the government failed to respond to their concerns and to their requests for changes.

The final point I want to make has to do with human resources. The fact of the matter is that ONA, as it raised in its brief, is going to have 30,000 people ready to retire two years from now. If we have a SARS 2 crisis and 30,000 nurses have taken retirement because they're able to, who is going to respond? These are the issues the government should be dealing with: human resources management and the lack of human resources, to ensure that somebody is on the front lines to respond.

**Mr. Pat Hoy (Chatham-Kent Essex):** I think it's important for members to know that just last Friday, on June 2, the Ontario and Quebec Premiers signed a series of mutual co-operation agreements, and one of those agreements was an emergency management agreement that underlines Ontario's and Quebec's common interest in public safety and security. It's an important agreement indeed, and it's fitting that Bill 56 is talking about security as well.

Members this afternoon have talked about the ice storm in eastern Ontario. There has been mention of the flood in Peterborough and potential terrorist threats from outside to our province and indeed the country. We have a province that has areas that are somewhat prone to tornadoes. We've been lucky over the history to have most of those tornadoes land in areas that are not very densely populated, but we need to be prepared for any eventuality and this bill allows for that.

I have acquaintances and dear friends in British Columbia who lived through that time of the tremendous fires. One would think that the movement of people would be very easy, but it actually can get very complicated, especially when you're dealing with huge numbers of persons to evacuate and move. After that is done, you need a place to put them. You have the aged, the ill, the frail and young children who must be evacuated, and a place for them to be housed. Interestingly enough, in the situation in British Columbia, their experience was that they had numerous pets, and they had to find places for people to take their pets. Then they had to give updates as to whether your home existed or not, so they had to have a central area to give constant updates as to the situation.

This bill will allow for that—emergency shelters and movement of people—and I think it is appropriate that this bill take place.



**The Deputy Speaker:** Member for Niagara Centre, you have two minutes to respond.

**Mr. Kormos:** It's been a pleasure for me to engage with others about this matter today.

The pets: The Ontario SPCA showed up at the committee. The pet issue had been overlooked entirely in the original drafting of the bill. It isn't just pets, of course, it's farm animals—even more dramatic. Pets have an emotional attachment to their owner and there is the disinclination of an owner to leave behind a pet, but with farm animals, livestock, equestrian operations, you've got real serious problems there. This is another reason we want to regulate these little private zoos.

But just as an illustration, I likened it to this—and I know other people have had this experience, because I've watched people grow once they've been elected here at Queen's Park—it's like getting fitted for a suit and then gaining 15 pounds when you pick it up. No matter what they do in terms of tinkering, that suit never fits right, like the first time they fitted it.

By way of observation, I just want to—the section with animals, the definition that the government imported. Mr. Dunlop had a wonderful one, and the government, just out of spite, wouldn't accept the Tory one—miserableness, pettiness and mere mean-spiritedness and spite. What did the government come up with? “‘Animal’ means a domestic animal or bird.” I'm going, “Okay. A bird isn't an animal? “‘Animal’ means a domestic animal or bird.” Mr. Berardinetti said, “Well, then there are people.” I said, “For Pete's sake, people are animals too.” Think about it. Mammals are animals. Reptiles are animals. There are cold-blooded animals and warm-blooded animals. Some basic biological data would be useful for people here. I don't want to get too trite, but please, get back to basics.

**The Deputy Speaker:** Further debate?  
1750

**Mr. Berardinetti:** It's hard to follow Mr. Kormos, the member from Niagara Centre, and definitions of mammals and animals. Biology was not my forte in high school; I'll preambule with that.

I had an opportunity to sit and listen to deputants during the two days we had public hearings on this matter. I too want to say thank you to the staff who provided assistance, especially for some of the research information that came forward.

I think the committee meetings went quite well. We heard from a number of deputants: the Ontario Public Service Employees Union; the Ontario Association of Emergency Managers; Canadian Blood Services; the Ontario Society for the Prevention of Cruelty to Animals; and the Ontario Public Service Employees Union, Local 444, Kingston General Hospital. I believe the other group we heard from was the firefighters. They had various submissions to make regarding the bill that was in front of us.

Based on those submissions, amendments were put forward. Not all were approved, but 21 were—21 were put forward. One that was approved was a Progressive Conservative motion. So some amendments were accept-

ed, the bill was modified and we have in front of us today the amended Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997.

What does this bill in front of us today do? The bill gives power to the Premier and cabinet to make decisions in times of emergency. In the past couple of years, we've seen two incidents—SARS and the blackout—and we've seen the Premier of the day struggle with how best to deal with giving out orders and making sure things were being followed through during the SARS crisis and during the blackout period that occurred, I believe, in August 2002 or 2003; I'm not exactly sure when that occurred. Both the blackout and SARS were in Premier Eves's time, and they created a lot of problems for the Premier. I actually felt sorry for him, because he had to sit there and struggle and try to deal with whether or not he had authority and power to do certain things and delegate those powers.

We live in a certain period of time right now when there could be future emergencies. We don't want to see future emergencies; we don't want future crises to occur. But we know of them. We hear of them on television and on the radio and in our newspapers. One of the biggest ones is avian flu, which is slowly making its way around the world, starting in the Far East and spreading through Europe and now supposedly coming to North America. What if something were to happen this summer regarding avian flu that required the provincial Premier and cabinet to make a decision, that required certain things to occur—animals to be moved out of a certain location or people moved out of a certain location, or other decision-making things to occur? That is why this bill was brought forward. We need to have in place an act that empowers the Premier and the cabinet, and ultimately this Legislature, with the proper powers and accountability to do the right things.

The good thing about this bill is that there are checks and balances in place. The Premier has to report to this assembly within a certain, given period of time. He can't just simply act and the cabinet cannot act without eventually reporting what they did to this assembly.

Furthermore, the Premier has to report regularly to the public, whether it be through press conferences, the media or various other ways, as to what he or she is doing, and that allows for accountability. I think that's an important aspect. It doesn't simply say, like the War Measures Act, that these powers are given to the Prime Minister or to the leader of the country to do certain things. There are checks and balances here, and strong ones, that make sure that what the Premier does, what the leader does and what the cabinet does is ultimately accountable and responsible and brought back for debate and discussion in this assembly, and also to the people of Ontario, most importantly.

So Bill 56 is extremely important to move forward on. Ontarians deserve effective measures that will allow their government to best protect them during times of emergency. They deserve this as soon as possible. This act is an important step toward improving emergency manage-



ment and response in Ontario. The bill will ensure that this government and future governments have the tools that are best needed to address emergencies and protect public safety. The powers that are listed in the bill are well considered and have appropriate checks and balances, as I have mentioned. It's also important to note that the powers contained in here and the checks and balances are similar to those that have either passed or are going to be passed in other provincial jurisdictions throughout Canada. So what happens in Quebec or in Manitoba, our neighbours, will be similar to what happens here in Ontario.

The current legislation that's in place is simply not strong enough to deal with the types of emergencies we could potentially face. The present legislation provides for the declaration of a provincial emergency. However, it does not give the government the key powers to make decisions and issue orders to deal with issues that might arise during a provincial emergency.

Bill 56 offers the necessary checks and balances and makes the government accountable for its actions, should it be necessary for the province and the Premier to declare a provincial emergency.

Some of the things this bill would do—I have a copy of it here in front of me: It would allow the government to restrict travel or order evacuations; it would allow the government to establish facilities for the care, welfare, safety and shelter of individuals, including emergency shelters in hospitals; it would fix prices for necessary goods, services and resources, and prohibit price gouging. This is something that it's also important to note: If there's an emergency, there's always an opportunity. We don't want to imagine it happening, but if there's only one supplier of a certain product and that supplier realizes this product is needed in this emergency, we don't want them gouging the public or the government or the people of Ontario simply to make the maximum amount of profit during a time of emergency.

Also, this bill would widen job protection for people who are unable to work because of declared emergencies.

As you can see, this bill is broad-ranging and covers a number of areas that are very important in case of an emergency. Unfortunately, the times we live in right now are such that inevitably, at some point in time, another emergency will arise and the Premier and the cabinet have to be able to respond effectively and accountably to an emergency situation.

I want to mention a few other quick little points here. The Liberal government has done a lot already to assist both the firefighters and the police in this province. Funding has been provided by the McGuinty government for firefighters: \$30 million has been granted for fire training and equipment. This is the first such investment since the 1980s, and it's significant because fire training and fire equipment are essential, and this has been brought up before, not just for the city of Toronto or the downtown area, but for all of Ontario. We're concerned about small towns as well, to give them some money so that they can be trained and have proper equipment. This is an investment for the first time since the 1980s. Also, funding is being continued for heavy urban search and rescue units—\$300,000 annually, and that's significant. Continued funding for expert-level teams such as the CBRN teams, chemical, biological, radiological, nuclear response teams: \$100,000 annually. These are all being done.

Money is also being given to the police. As you well know, we've made several announcements regarding that: 1,000 additional officers, funding of \$37.1 million, and \$68 million in funding for more officers. So we continue to do funding.

I would like to go on, but I see that it's getting close to the hour of 6 o'clock. With your permission, I would ask to stand down and allow the Legislature to break.

**The Deputy Speaker:** That sounds like a great idea. It being 6 of the clock, this House is adjourned until 10 of the clock, Thursday, June 8.

*The House adjourned at 1801.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Brotten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior- Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Trinity–Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Willowdale	Zimmer, David (L)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy / ministre de l'Énergie
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline</b> (L) Minister of Culture / ministre de la Culture	York North / York-Nord	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale–High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉ PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

**Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziotti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craiton, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

**Social Policy / Politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qaadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

**Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

**Mercredi 7 juin 2006**

### **RAPPORTS DES COMITÉS**

#### **Comité permanent**

##### **de la politique sociale**

M. Qaadri ..... 4395

Rapport adopté ..... 4396

### **PREMIÈRE LECTURE**

#### **Loi de 2006 sur les courses de rue,**

projet de loi 122, *M. Klees*

Adoptée..... 4396

### **QUESTIONS ORALES**

#### **Hôpital Montfort**

M. Patten ..... 4402

M. Caplan..... 4403

M. Lalonde ..... 4403

M<sup>me</sup> Meilleur ..... 4403

### **TROISIÈME LECTURE**

#### **Loi de 2006 modifiant des lois**

**en ce qui a trait à la gestion**

**des situations d'urgence,**

projet de loi 56, *M. Kwinter*

Débat ajourné ..... 4429

# CONTENTS

Wednesday 7 June 2006

## MEMBERS' STATEMENTS

<b>Canadian agricultural income stabilization program</b>	
Mr. Barrett .....	4393
<b>Charity soccer match</b>	
Mr. Flynn .....	4393
<b>Hydro in Ontario</b>	
Mr. Yakabuski .....	4393
<b>Education funding</b>	
Mr. Marchese .....	4394
<b>Child care</b>	
Mr. Ramal .....	4394
<b>Ontario Provincial Police</b>	
Mr. Runciman .....	4394
<b>Synchronized swimming</b>	
Mr. Delaney .....	4394
<b>Research and innovation</b>	
Mr. Oraziotti .....	4395
<b>Cardiac care</b>	
Mr. Mauro .....	4395

## REPORTS BY COMMITTEES

<b>Standing committee on social policy</b>	
Mr. Qaadri .....	4395
Report adopted .....	4396
<b>Standing committee on regulations and private bills</b>	
Ms. Horwath .....	4396
Report adopted .....	4396
<b>Standing committee on government agencies</b>	
The Speaker .....	4396
Report deemed adopted .....	4396

## FIRST READINGS

<b>Street Racing Act, 2006, Bill 122,</b>	
<i>Mr. Klees</i>	
Agreed to .....	4396
Mr. Klees .....	4396

## MOTIONS

<b>Committee sittings</b>	
Mr. Bradley .....	4397

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Tory .....	4397, 4398
Mr. McGuinty .....	4397, 4398, 4399
Mr. Hampton .....	4399
Mr. O'Toole .....	4405
Mrs. Cansfield .....	4405
Mr. Barrett .....	4405
Mr. Ramsay .....	4405
Mr. Hudak .....	4407
Mr. Smitherman .....	4407
<b>Environmental protection</b>	
Mr. Hampton .....	4400
Ms. Broten .....	4400
<b>Native land claims</b>	
Mr. Tory .....	4401
Mr. Ramsay .....	4401
<b>Education funding</b>	
Mr. Marchese .....	4402
Ms. Pupatello .....	4402
<b>Montfort Hospital</b>	
Mr. Patten .....	4402
Mr. Caplan .....	4403
Mr. Lalonde .....	4403
Mrs. Meilleur .....	4403
<b>Ontario Provincial Police</b>	
Mr. Tory .....	4403
Mr. Kwinter .....	4403
<b>Domestic violence</b>	
Ms. Horwath .....	4404
Ms. Pupatello .....	4404
Mrs. Meilleur .....	4404
<b>Federal agriculture funding</b>	
Mr. Wilkinson .....	4404
Mrs. Dombrowsky .....	4405
<b>Hepatitis C</b>	
Ms. Martel .....	4406
Mr. Smitherman .....	4406
<b>Food safety</b>	
Mr. Hoy .....	4406
Mr. Smitherman .....	4406

## PETITIONS

<b>Long-term care</b>	
Mr. Arnott .....	4407
<b>Autism services</b>	
Ms. Martel .....	4407

## Trade development

Mr. Delaney .....	4408
Mr. Kular .....	4409
<b>Fish stocking program</b>	
Mr. Ouellette .....	4408
<b>Child care</b>	
Ms. Martel .....	4408
<b>GO Transit tunnel</b>	
Mr. Ruprecht .....	4409
<b>Highway 26</b>	
Mr. Wilson .....	4409
<b>Services for the developmentally disabled</b>	
Mr. O'Toole .....	4409
<b>Credit unions and caisses populaires</b>	
Ms. Martel .....	4410
<b>Labour unions</b>	
Mr. Berardinetti .....	4410
<b>Frederick Banting homestead</b>	
Mr. Wilson .....	4410

## THIRD READINGS

<b>Emergency Management Statute</b>	
<b>Law Amendment Act, 2006,</b>	
<i>Bill 56, Mr. Kwinter</i>	
Mr. Kwinter .....	4411
Mr. Balkissoon .....	4413, 4415, 4426
Mr. Runciman .....	4414, 4415, 4419
Mr. Kormos .....	4414, 4419, 4420
4428	
Mr. Leal .....	4415
Mr. O'Toole .....	4415, 4419, 4427
Ms. Martel .....	4418, 4427
Mr. Patten .....	4418
Mr. Hoy .....	4427
Mr. Berardinetti .....	4428
Debate adjourned .....	4429

## OTHER BUSINESS

<b>Wearing of pins</b>	
Mr. Wilkinson .....	4395
<b>Visitors</b>	
The Speaker .....	4397
Mr. Bisson .....	4397
Mr. Gerretsen .....	4397

Continued overleaf





No. 87

N° 87

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 8 June 2006

Jeudi 8 juin 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 8 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 8 juin 2006

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: If I were to call quorum and quorum were not achieved, would it cancel this morning's session or would it cancel the entire day's session?

**The Deputy Speaker (Mr. Bruce Crozier):** Just this morning.

**Mr. Chudleigh:** I think a quorum might very well be present.

### ONTARIO POPULATION

**Mr. Ted Chudleigh (Halton):** I move that, in the opinion of this House, the government of Ontario should immediately begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners; and that these population counts be determined through municipal tax rolls and include a multiplier to account for children.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Chudleigh has moved private member's notice of motion number 15. Pursuant to standing order 96, Mr. Chudleigh, you have up to 10 minutes.

**Mr. Chudleigh:** Is it number 41 or 15?

**The Deputy Speaker:** It's ballot item number 41, but it's notice of motion number 15.

**Mr. Chudleigh:** Thank you, Mr. Speaker.

It's a matter of fairness. Where provincial funding is based on population, then a true population is necessary or we are shortchanging the high-growth communities and the people who live in them. Often these funds are desperately needed by growth communities, which are building infrastructure and programs from the ground up rather than enhancing or simply providing funds for already existing needs. A new hospital in Oakville, for instance, is a brand new facility, and this is one community that is being grossly underfunded; the expansion of a hospital in Milton, which is more underfunded than the Oakville area. Other programs that are affected here include the gas tax distribution, the transit needs in Oakville and doctor shortages in communities such as Halton Hills and Milton.

As an example, Milton's current population is 62,000 people; we determined this from the tax rolls. The 2001

census population indicated that there was a population of 35,000. We've gone from 35,000 to 62,000. That's a difference of 27,000 between the census population and the current population. Those are 27,000 people living in Milton who are not recognized as being part of provincial funding projects.

Oakville's population is currently about 159,000, whereas the census population for 2001 put it at 140,000. That's a 19,000-person gap. Brampton's current population is 435,000 people, while the census in 2001 concluded it was only 325,428. That's over 100,000 people who are not funded through provincial programs. Markham, Ontario's current population is 257,000, whereas the census put it at 208,000. That's almost 50,000 people who do not fall into the funding formula for provincial programs, when brought to municipalities.

This situation is not going to go away with the mini-census numbers, when they are released. May 16 is the point in time when these numbers will be collected. That census won't be released for quite some time; it could be as long as a year and a half. During that time, of course, high-growth communities will continue to grow.

A census is merely a snapshot in time and, like a stopped clock, it is still correct twice each day. The census information is reasonably accurate only twice each decade. This is not good enough for the towns and the cities and the villages of Ontario that are struggling to maintain their contributions, especially the demands for services, especially through high-growth areas. High-growth areas exist everywhere in Ontario, from the GTA to Ottawa, and even in some areas that are very popular with retirees.

Although the household count system is used with a factor for children added when municipalities are assessed for their need for physicians—and this system works very well: A factor is added to the tax roll population count to account for children, and these numbers and factors are updated and checked for accuracy during the census years.

I'm also very open to suggestions on a better way to count. However, I believe the municipal tax roll system is the easiest to access, the cheapest method available and will provide substantially accurate results. These accurate results, as I mentioned earlier, could be checked every five years, when we do a census roll, to ensure that the multiplier effect or the tax roll system is accurate.

How accurate do we see these things that might take place? In Milton, currently we have a 77% disparity rate between the population and the census count. In Oakville we have a disparity rate of 13.5%. In Brampton it's 34%.



Markham is 23%. If we were using the tax roll system and a multiplier effect for children, I would suggest that we would be under the 2% to 3% disparity rate. In other words, we would have an extremely accurate way in which to count the tax roll program.

What kind of an effect does this have on a town—in a program for the corporation of the town of Milton, for instance? The Ontario fire service grant is a grant the province gave to the municipalities based on population counts; Move Ontario is another provincial program that allocated money to municipalities based on population counts; and of course the federal and provincial gas tax—both of these programs were based on a combination of municipal transit riders and municipal populations.

1010

The town of Milton, for instance, received almost \$3.5 million from these three programs, not including the provincial gas tax distribution because it's got a rather convoluted and difficult formula. That's \$3.5 million that the town of Milton received from these three programs; however, if they had been using accurate population counts from the tax rolls plus a multiplier for children, the town of Milton would have received \$6.856 million. That's an increase of \$3.394 million or almost 98%. In other words, Milton is being underfunded by almost half when it comes to their programs on fire services, on Move Ontario and for municipal transportation through the federal gas tax, and there would be in the area of \$120,000 to \$130,000 difference in the provincial gas tax transfer.

As I pointed out, Milton is not the only town in Ontario that is suffering. There's Oakville, Burlington, Georgetown, Markham, Brampton, and many, many areas, particularly in the 905 but also in Ottawa. There are areas of high growth in Ottawa which are not being recognized from the provincial program point of view for the monies that they are not getting.

This discrepancy is also prevalent when you look at the costs of the CCACs, the community care access centres. Many of their programs are funded through a population census base as opposed to the actual population in the town at the time. Those people with mental and physical handicap programs—Erin Oak is a provider of services to these people. Erin Oak is suffering from underfunding because of the disproportionate number of people they find they have to service, and that population is not being funded properly or fairly through the current process of using census populations.

Mayor Rick Bonnette of Halton Hills agrees, as does the mayor of Milton, Gord Krantz. They agree very strongly that we should be looking at a different way of funding these things and the way in which they are currently being funded is totally unfair to local municipalities. In fact, the mayor of Halton Hills supports the intent of the provincial funding. It should be "based on the most current data available because it is the most fair and equitable way of addressing today's financial pressures being faced by" the current citizens of Halton Hills. That's a direct quote from Rick Bonnette, mayor of Halton Hills.

"The current funding model does not recognize growing communities such as Milton, because it is based on outdated information," the town of Milton mayor, Gord Krantz, says. "Our population has almost doubled since the 2001 census, so in areas such as gas tax and hospital funding, Milton is essentially receiving half of what it should. I believe Mr. Chudleigh is on the right track." He goes on to say some nice things, but I won't bother the assembly with them.

The fact of the matter is, if we can look at a more fair funding formula that takes into account accurate populations, we have that material available to us. We have that material available through tax rolls. We're already using a multiplier effect when it comes to shortage of physicians in communities. It's something that's within our purview to do. We have the information, and it would be fair to Ontario to do it.

**The Deputy Speaker:** Further debate?

**Mr. Lorenzo Berardinetti (Scarborough Southwest):**

It's a pleasure to have an opportunity to speak briefly to the resolution moved by the member from Halton: That, in the opinion of this House, the government of Ontario should immediately begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners; and that these population counts be determined through municipal tax rolls and include a multiplier to account for children.

I commend the member for bringing this forward, but I want to start off with a few brief comments first before I get into the resolution itself.

The first issue that comes to my mind when I see this is money. What's it going to cost to do this? These are the famous lines that the Conservatives like to use whenever the Liberals propose something. It's, "How much will it cost? Can we afford to do it? Who's going to go and check all the municipal tax rolls? Who's going to create the multiplier for accounting for children? How are we going to account for children who are from divorced parents? What about children who are with one parent some of the time and with the other parent the rest of the time? There are cost issues involved and we can't afford it right now; we're running a very expensive provincial budget right now." These would be the first arguments the Conservatives would make, that I'm sure they would love to make: that a lot of money would be spent on this. So it's interesting that in this case it's not an issue. Perhaps when the member from Halton does his two-minute wrap-up he can explain how the issue of cost is going to be addressed.

That being put aside, I want to say that what the member is trying to do is honourable and well intentioned—just like my private member's bill was honourable and well intentioned. He actually spoke to my private member's bill a while back, and I remember that his opening words were that my bill was a cheap publicity stunt that I was trying to do. I never knew that I was good at publicity. I could turn around and say the same thing, that in Milton this is a cheap publicity stunt—but I won't say that. I was looking at a movie the



other day, and the opening line of the movie was, "An eye for an eye and a tooth for a tooth will leave us all blind and toothless," so if I were to respond in the same way, we would all be blind. Those are the words of Gandhi, not myself.

That being put aside, looking at the present day and at Halton, it is one of the fastest-growing municipalities in Ontario. We have a situation where Halton is growing very rapidly and we're trying to make sure that the numbers for the current population are accurate and reliable, and I can see why the member would want that to be the case.

In my own riding of Scarborough Southwest, or in the general area of Scarborough, we have well over half a million people. When Toronto began to grow, a lot of people moved out into Scarborough, and I don't think the province of the time—the Bill Davis government and perhaps even the Robarts government, going back a while ago now—really took into account Scarborough's concerns. A lot of affordable housing and subsidized housing was dumped into Scarborough. The mayor of the day, Paul Cosgrove, complained about that to Metro council and to the rest of the city of Toronto. We got a disproportionate amount of hospitals. We have three hospitals that serve over half a million people, yet we still manage to survive with that—an infrastructure that wasn't totally properly funded by the province or assisted by the province.

Scarborough was well off prior to amalgamation; Scarborough was well off back in the 1940s, 1950s and 1960s. Once the amalgamation began to occur in its first stage back in 1958, and later on more drastically in 1997, Scarborough was left off the table and Scarborough was hurt very badly. Hundreds of thousands of people were adversely affected by what happened at that time. I don't think that the people who decided to do the amalgamation and the people from the province who kept numbers of how many people lived in what area really knew what was happening in Scarborough. Sometimes nowadays, some people in some areas like to take shots at Scarborough and say things about Scarborough. One of the reasons they do is because they don't fully understand Scarborough, don't understand what it went through in the 1950s and 1960s during this amalgamation time.

It's good to want to support Mr. Chudleigh and his resolution, but it's also important to realize that there are other communities, other areas of the city and of the province that have suffered similarly from out-of-date census population and out-of-date information or just out-of-date statistics and ways of calculating needs of various communities. We're underserved with daycare centres. Only now, with the McGuinty government, are we beginning to catch up in some of these areas. Only now are we putting proper funding into policing and into hospitals and into firefighters and into the things we need. Only now is a subway being properly constructed. Only now are the needs of the people of Scarborough finally being addressed, and throughout Metro. I don't mean to be parochial; I just happen to represent the riding of Scarborough Southwest. I represent the people who

are there, and I'll continue to do so as long as I sit in this seat.

**1020**

But the member from Halton wants to have a better population counter; he wants it determined through municipal tax rolls and by including a multiplier to account for children. That's conceivably because Statistics Canada or the census may not be able to keep up with what is happening in his own area because of the fast growth there.

While his motion is aimed at identifying and rectifying problems with the out-of-date population data when a municipality is growing very rapidly, like it is in his area, the sweep of the motion is too broad. Both census and municipal tax population data should be and are used as appropriate to the situation. To try to bring forward a new method of doing it now, a broad sweep, the first question, a very important one, is: How much will it cost, and who will pay the price for this? While it is honourable to want to have the best system possible for trying to do this kind of work, we have Stats Canada in place; Stats Canada is supposed to do that. And we have municipal tax roll populations that are in place; people pay property taxes. That information is stored and kept by the cities, the municipalities, the counties and the districts of the various parts of Ontario. So why don't we improve those areas? Why don't we perhaps change the wording of the resolution and ask Stats Canada to do a better job in keeping its numbers accurate?

Those are the areas that are of concern to me. While I know that the member is honourable and is trying to do an honourable thing for his community, I find that his motion is just too broad. It's not a cheap publicity stunt, but it is an attempt to fix something up that perhaps can be done through other means.

**Mr. Jerry J. Ouellette (Oshawa):** I very much look forward to debating the member's bill on this very large concern in our community and high-growth communities.

It's never more evident than in dealing with riding boundaries alone. I have had the privilege and honour to represent the community of Oshawa since 1995. Since then, the next upcoming election will be the third time the riding boundaries have changed, and that's based on population. But the difficulty, as has been brought forward by the member's resolution, is never more evident in that the riding boundaries are based on the census from 1999. The community of Oshawa has been listed by a number of various organizations as the largest-growth community in Canada for the next number of years, five or seven years, and that's because of all the high growth taking place in the community, which is not taken into consideration. What's going to happen now is that the riding boundaries are going to be rechanged without the assessment of the new growth that has been taking place for seven years. For the next federal election that comes along, they're going to find out that the numbers have increased so substantially that they're going to have to readjust the riding boundaries again because they will be so out of whack. That's because everything is based on the 1999 census.



When the census tour took place, we tried to give input based on the new growth figures, but they are not allowed to receive information except based on the 1999 figures. What will take place is that we have a substantial increase, I would say in the area of 1,000 new households—just households alone—in one small section of the community. That's not all of Oshawa, because there's constant growth and infilling taking place throughout the community, but in one small part of the community you're looking at that number of houses going up since 1999. Quite frankly, the detailed figures on that are probably going to show it to be even more than that.

When you look at those figures and you take into consideration the fact that Oshawa is listed as being one of the sites for a doctor shortage, what happens when you add all these other growth figures in there? All of a sudden the shortage becomes even more substantial. Take into consideration other aspects of government operations such as education funding. When you look at education funding, the growth formula taken and produced by the Ministry of Education does not take into consideration all that new growth. Right now, we're kind of in flux in the community, and when I speak to the people within the education sectors, they're very concerned because they have all this huge, new growth in Oshawa. As well, I should say that it's not Oshawa alone but the boundary communities of Whitby. My colleague the member from Whitby-Ajax would certainly know about the growth in her community, what's taking place there and how it's affecting it. What we're going to see is that the next time a federal election takes place, they're going to realize that the numbers are out of whack and they'll have to try and adjust them again.

Not only that, but when you look at all the growth and all these factors, we need to be able to assess exactly what's going to take place. My understanding, from the headlines in last night's local paper, is that the community of Kingston just received four million provincial dollars for a new downtown sports complex. When we spoke to the city officials in Kingston, it was on the understanding that they were underfunded as compared to other communities. Well, guess what? We have a brand new downtown sports complex in Oshawa, as they have in Sault Ste. Marie and in communities like London and other areas. If you take the high growth in those communities, it hasn't been factored into a lot of communities like Oshawa to be recipients simply because there was no program. The only way it was assessed was because of the fact that it was underfunded.

If you look at the high growth in our community and you see the sports-based funding—and I'm not complaining: Oshawa has done very well with new interchanges, the cancer centre, the university and other aspects. But when you look at mental health, sports complexes, the doctor shortage, the education funding that takes place and all these other aspects, they certainly aren't given the full debate that's necessary to address the high growth.

I can understand what's going to take place. In the next election we'll see that there's going to be, all of a

sudden, a 20% increase in the numbers in the riding, and the federal government is going to say, "We're going to have to recheck these boundaries."

Some of the areas the member is trying to address are very clear and very concise, in that we need to deal with these issues on an annual basis so that we can get funding out to be where it needs to be so that the assessments can be made for various aspects, whether it's education growth, health care growth, mental health funding—all the other aspects in our community.

One of the other areas I need to mention as well is the transit funding that the member spoke about. If you look at transit funding, the recent changes have caused a bit of a flux, because in the community of Oshawa, originally capital wasn't allowed to be included for transit funding in the funding programs. But my understanding now is that with the new funding proposal coming forward for the transit funding allocation that comes to the community, the communities will now be allowed to spend on capital expansion. With the growth in our community and the high growth in those communities, think of all the new transit routes that will have to be put into them when you get that number of households. And it's not just one area; it's a number of pockets of areas that are growing that are going to have to include the transit.

The difficulty in our community of Oshawa is that Oshawa allocates the transit funding to the region. However, now that capital expansion is being allowed, they're saying, "Wait a sec. We've got all these bus stops, we've got all these other things, all this route information, all the other things that we as a community in Oshawa can utilize that funding for, and it's going to cause a little bit of a problem." But I hope the government members are going to take into consideration how they're going to address that issue.

With that growth, simple things like transit funding, as the member mentioned, are certainly going to be impacted, as well as the routes. The cause for that: The big thing I have concern with is, as I mentioned before, that I had the privilege and honour of serving in the community and being elected three times. The next election will be the fourth election, and there have been three riding changes, three boundary changes, in those four elections simply because they're not taking into consideration the growth that takes place. A census from 1999 is dictating what's going to take place in the next election, whether it's provincially in 2007 or when the next federal election comes forward, and it will not have any impact on how growth in our community is taking place. How does that affect the community? Very significantly.

I would hope the government members take a look at the considerable number of impacts that high-growth communities such as Oshawa and the region of Durham have so that we can assess and deal with this problem. I certainly hope all members here will support the resolution so we can move forward on taking care of these problems with high-growth areas and a lack of proper funding on an annual basis.



1030

**Ms. Andrea Horwath (Hamilton East):** It's certainly my pleasure to make a few comments on the member from Halton's motion that's before us today.

First of all, I think it's important to say that I don't think we should ever be complacent in this place about the way that we do things, so having the member bring forward a motion that asks us to review or to take a fresh look at the way we're doing something I think is a positive thing. I think that the more we take the time to examine the ways that we do things, the more we have opportunities to make changes that could be positive, so I want to thank the member from Halton for bringing this motion forward. I think it's one that at least deserves a bit of review from the members of this Legislature, and perhaps some action at the end of the day. We'll see how it works out when it comes time to vote on the motion.

Nonetheless, I do want to congratulate him for finding this particular concern specifically related to his own community because of the rate of growth that's happening in his own community and determining how that can be addressed, perhaps, through re-looking at or re-examining the way we develop our formulas for funding various activities that are happening at the municipal level.

Interestingly enough, I have a few concerns about the extent to which reliance on tax rolls will bring the result that the member is looking for. I say this because I recently attended an event and met a wonderful gentleman who is a retired assessment officer from the old system of assessment. In fact, he worked under the current MPAC system as well. He was quite enlightening in his description to me of the pitfalls, if you will, or the challenges or the problems that exist currently with the municipal tax rolls in terms of their lack of being up-to-date, if you will. Apparently, his experience has been—of course, I met him in Hamilton, but he has acted in the capacity of an assessor for the municipal level, as a provincial function, though, for many, many years and in many, many communities. His experience was that, in fact, municipal tax rolls are often just as out of date, if not more.

When new subdivisions—and it is dependent upon the specific municipality, because there are a number of pieces of work that need to be done by the various city departments before all of the information flows to make sure that those properties that are being developed and new subdivisions are brought onto the municipal tax rolls. However, apparently there are a couple of bottlenecks in the system that lead to, then, the tax rolls being significantly out of date, to the point where he said his understanding was that many municipal treasurers were concerned about the lengthy process that it takes. "Sometimes I'm talking three and four years," he indicated to me: three or four years after a house is completely built, completely serviced, completely occupied, part of a community, part of the municipality, and yet that property has not made it onto the tax rolls for sometimes three or four years.

So I would caution the member from Halton that there is no panacea. There has to be not only a look at what he is recommending, but also an acknowledgment that the tax rolls, in and of themselves, may not solve the problem, because there are problems with or there are delays in getting properties onto the tax rolls. That's something that has been long identified not only by assessors but, apparently, also by municipal treasurers. At least that's what my information was from the gentleman I was talking to who had worked in that capacity for so long.

Having said that, though, there are another couple of issues I thought I should raise within the context of this particular motion, because the challenges, the frustrations, the difficulties, the burdens that are felt at the municipal level are largely a result of other policy problems as well that are flowing out of this place, particularly the issues around the downloading that was undertaken by the member who put the motion forward, by his party, when they were in government here in this House. People will recall—and I certainly know that people in Hamilton recall; in fact, we recall it every single year when our municipality is struggling to put together a budget—that the Mike Harris Conservative government downloaded a significant number of services to the municipal level. A great deal of the financial burden, the fiscal crunch that faces municipalities across the province of Ontario today, is a result of that historic policy decision that took place under the Harris government. So, yes, I do believe that looking at how we calculate the way transfers take place between the province and the municipalities is important and should be done; there's no reason not to do it. I still also need to be sure that it's on the record and very clear that it's only one small part of the problem that faces municipalities here in Ontario.

A big part of the problem that faces municipalities here in the province of Ontario is what they call the fiscal gap, the gap in what they should be receiving from provincial coffers to pay for what are, in effect, provincial programs. I think we need to acknowledge that wealth redistribution programs like social services programs, like social housing programs, and to some extent like health programs, do not belong on the property tax base. They are not programs, they are not services, that are in any way related to property. Parks, yes. Waste water, yes. Garbage collection, yes. Local roads, yes, absolutely. But social services, no. Social housing, no. Health, no. These things do not belong on the property tax base.

Documents from AMO clearly indicate that what they call Ontario's \$3-billion provincial-municipal fiscal gap is a result of a number of different envelopes. From their perspective, the provincial program of public health is costing—in fact, the language they use I think is interesting, that they are subsidizing the provincial provision of public health services to the tune of \$266.4 million. They are subsidizing—"they" meaning municipalities—the provincial government and the ambulance program. Now, I have to caution that this is from August 2005. I know there have been minor adjustments in how some of



these programs are funded, so the numbers might be a little bit out of whack, but the scenario remains largely the same. Ambulance, \$312.7 million; social assistance, \$1.3309 billion; senior services, services for our elderly populations, \$242.5 million; child care, \$193.4 million; social housing, \$879.7 million, for a whopping total of \$3.2256 billion by which, collectively, municipalities subsidize provincial programs.

Coming from the municipality of Hamilton, I can tell you that this has meant significant challenges for that municipality, and I know it is consistent across the municipalities of the province of Ontario. It is causing extreme hardship in terms of the municipalities being able to do the job they are supposed to be doing off the property tax base, things like—and I've already mentioned them—roads, sewer and water, waste disposal, waste collection.

In fact, today I received an invitation to the city of Hamilton's ribbon-cutting for their new organics processing facility. Again, this is a project that the city has worked on for several years in order to divert more organic materials out of the waste stream so that they don't end up in the landfill adding to the toxic soup that's called leachate but rather in an organics facility where, at the end of the day, they can be churned into usable product for the growing of other organic materials.

I have to say that the problem raised by the member in terms of the way that we deal with our numbers game, if you will, in terms of the provincial transfers to municipalities certainly is an important issue, and it's one that we look forward to at least having a look at and having a review of for the purpose of making things better. However, the reality is that that small piece pales in comparison to the huge problem of downloading faced by municipalities. In fact, in an AMO document that was published in February 2006, they say: "Leading academics, including Professor Harry Kitchen of Trent University, financial industry economists, public policy research institutes, selected provincial elected officials, municipal governments and property taxpayers have argued that Ontario's unique situation of requiring municipalities to subsidize provincial programs and provincial services is not good public policy and it is not economically sustainable. The resulting infrastructure deficit undermines the capacity of all municipalities to prosper and it limits their ability to compete internationally." That's the problem that we need to deal with here in the province of Ontario.

1040

The document goes on to describe Ontario's situation compared to other provinces in Canada: "Between 1988 and 1998, Ontario's per capita municipal spending increased by almost 40%, compared to a 10% increase for the rest of Canada. Although wide variation exists in the level of per capita property taxes across Canada, Ontario remains the highest." That's 2001 data. "For the average family of two or more persons in Ontario in 2003, municipal property taxes were 35% more than the comparable family in the rest of Canada and 15% higher than the next highest, Saskatchewan."

The reality is that as the property taxes continue to go up, as the pressure on municipalities continues to become greater and greater, the breaking point is very near. I know that myself and a number of other members in this House have been receiving letters pleading with the members of this assembly to make sure that we address the problem of property tax increases that are happening at the local level. It is provincial policy that has created a great deal of the stress on the property taxpayer at the municipal level. We need to get at that issue, and we need to solve it once and for all.

I know that the Ombudsman came up with some scathing condemnations of the Municipal Property Assessment Corp. The government has a couple of things that they need to get done around that issue, but I have to tell you it's far too late. People are already losing their homes. I have fixed-income people in my community who are just beside themselves, who know they cannot afford another \$100 a year, another \$200 a year, another \$300 a year in property tax increases. They will lose their homes; they are losing their homes. Whether it's a senior citizen who's on a fixed pension, whether it's a person with a disability who's on ODSP, these people are losing their homes because property taxes are going up, because provincial services are inappropriately being paid for at the municipal level.

In the meanwhile, the most galling thing is that as these property taxes go up, the people paying them are watching their municipal services erode and become reduced. So it's quite a dilemma, and it certainly is something that needs to be addressed by this current government. They talked about these kinds of issues when they were running for election, but the McGuinty Liberals have come up short time and time again when it comes to solving the real problems facing the people of Ontario, and certainly the people of Hamilton as well.

One last thing: The member from Halton describes the situation that gave rise to his motion coming forward in regard to the rapid growth that's occurring in one of the municipalities in the area that he represents. The city of Hamilton has recently gone through a process called the GRIDS, the growth-related infrastructure development system or something like that. It's basically an integrated planning process that has been undertaken by the municipality with stakeholders. Notwithstanding that there's some controversy as to the efficacy of the research that was done there and whether or not the final recommendations were unanimously supported by all of the community, the bottom line is that many municipalities, particularly in the GTA, are facing the possibility, the likelihood, of population growth that will be significant over the next decade or two. We not only need to get a handle on the numbers game that the member from Halton talks about in terms of how we determine the formulae for the transfers from the province to the municipalities, but we absolutely have to get those programs and services that don't belong on the municipal tax base off of them and fix the property tax system so that people don't get assessed out of their homes.



**Mr. Tony Ruprecht (Davenport):** I would like to make a few comments on the member from Halton's resolution before the House: That ... the government of Ontario should immediately begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners; and that these population counts be determined through municipal tax rolls and include a multiplier to account for children.

*Interjection.*

**Mr. Ruprecht:** I know, Mr. Kormos, but I'm not as flamboyant and able to speak as well as you do—

**Mr. Peter Kormos (Niagara Centre):** Oh, Tony, you can rise to it.

**Mr. Ruprecht:** —and, consequently, don't start to get me excited, because when you do, the passion will come out, and that may not be the best idea on this specific resolution. So let me be calm and try to talk about this in a reasonable fashion so that all of us can get ahead with this specific issue.

The member from Halton raised concerns that there are out-of-date census population counts which he claims disadvantage rapidly growing municipalities in terms of provincial funding for hospitals, roads, gas tax sharing and other projects. Let me say at the outset that while he is putting his finger on something that is fairly important, especially in Halton and Milton, he should also realize that there are no perfect statistics. There are no perfect funding models that the province is using to determine how much should be paid, even for various ministries and their services. So the statistics, especially Census of Canada, will always take some time to catch up to the reality.

Yes, we all agree that there has been tremendous growth in Milton, especially after the big water pipe was installed in Milton in about 2001 and consequently opened up a whole process of new development in terms of housing, businesses and schools. This growth, of course, is very important to him, because he thinks he is being shortchanged. But let's look at the imperfection of the system itself and the proposal he is putting forth in terms of using population statistics, especially tax rolls and the multiplier effect for children.

Let's look at Milton's population and average annual growth. There were three sources for this growth, and the funny part is that none of them is perfect, because not one of them checks out with the other. Let me give you an example. In 2001, Statistics Canada said there were 32,730 household dwelling units here in this specific area of population in Milton—32,730. The Halton planners, the local planners, who were right there looking at each one of these developments, said there were not 32,730, there were only 31,471.

Now let's get to the tax rolls which the member from Halton wishes to introduce. Even the MPAC tax rolls gave us a different picture—pretty close to the planners but out in terms of Statistics Canada. They said there were only 31,428 dwelling units. Within that framework, we might say, "Well, that's not too bad." But now let's look at what happens in Milton in 2005. Here is the big

difference and here is the big surprise. Statistics Canada says their numbers are 33,784. That's a growth rate of 0.8%. I repeat: 33,784. Halton planners said—and get this—53,200. Wow, Mr. Chudleigh, what a difference. The Halton planners are saying the growth rate was not 0.8% as Statistics Canada indicated, but the growth rate was a whopping 14%. What a difference.

**1050**

Yes, you might say, "You are talking to my point and I'm right," but hold on. Now let's look at MPAC. MPAC tells us a totally different story. The growth rate for MPAC is not 0.8%; the growth rate for MPAC is 9%. What was the growth rate for the Halton planners? Fourteen per cent.

I submit to you that none of these are probably accurate, because if they were accurate, they would be much closer in terms of the population growth rate in Milton. We have a difference between 0.8%, which is lower than 1%—

**Mr. Kormos:** Passion.

**Mr. Ruprecht:** Are you trying to cause trouble again?

Mr. Kormos is trying to egg me on to cause trouble with me, but he's leaving, so I'm glad. Why are you leaving, by the way?

**Mr. Kormos:** Because boredom can be a fatal experience.

**Mr. Ruprecht:** I guess the reason that the member is leaving is because he is bored about these statistics, because statistics don't turn him on. But remember, for the member from Halton, Mr. Chudleigh, these statistics are of utmost importance because they speak of a difference in terms of funding.

He wants to change the funding formula for certain items such as hospitals, schools, roads and gas. Consequently, we have to look at these statistics to determine just how accurate they are. I submit to you, Mr. Speaker, that they may not be as accurate as we say they are.

**Mr. Ernie Hardeman (Oxford):** I am pleased to rise and speak in support of this resolution. I commend the member from Halton, my colleague, for bringing it forward.

As I speak to the resolution, I am somewhat surprised to hear some of the members of the Legislature speaking against the resolution because "no population numbers are accurate, so we might as well stay with the method we've got," which seems kind of a strange way of looking at life.

The resolution is very explicit on that issue. It says, "...begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners." The resolution doesn't say that this is going to make it perfect. If you read the whole resolution, what it speaks to is the fact that that appears to be the most accurate count of population that presently exists that could be used for these types of programs.

I really didn't come to speak to that part of it. What I really came to speak to is that I think there's another reason for going to that population count as opposed to the census. That has to do with the population that's



being served by the service that's being funded by the province. An example of that, of course, is the special program that the Ministry of Health has that, if you have a shortage of physicians in a community, you can then get special funding to help recruit new physicians.

In my community, the town of Tillsonburg is right at the bottom end of the riding in the county of Oxford. The physicians serve areas in Elgin county, in the former county of Norfolk and, of course, in Oxford county—all the way; the whole south end of Oxford county. When you looked at the community of Tillsonburg being 15,000 people, with the number of physicians in that community, of course we didn't have a shortage of physicians. What it took was, we could look at the population being served and getting the numbers from each municipality as to how many people lived in that area being served by those physicians. We came out that indeed it was a very underserved community, and we got provincial funding to help deal with that.

I think it's very important that we use those types of numbers for programs that are being funded beyond municipal boundaries. With the census and the funding as it presently is, it seems ironic that the money just goes out to communities based on their population with no relationship to the services that are needed.

A couple of examples that I would just point out in Oxford where that has happened: In the city of Woodstock, we have an organization that helps youth: Oxford Child and Youth Centre. They expanded to provide services in other parts of the county, but because it's being funded based on the Woodstock population as opposed to the Oxford county population, then per capita of the service area they are not getting their fair share of provincial funding, and there are other ones like that.

Community Living in Tillsonburg has exactly the same problem. Incidentally, when we have Community Living Day here in Toronto, the largest delegation in the last number of years has been from Tillsonburg Community Living, yet they get funded based on the area they are serving, which is the Tillsonburg area as opposed to a broader area. We need to get funding put in where we can look at the municipal data as to where people live and how many live there, so we can get fair and equitable funding.

The gas tax is another area that's the same problem. Again, as was mentioned earlier, the gas tax is being divvied up in the province partly based on population and partly based on ridership, but if a community that is growing needs to put in a transit system and presently doesn't have one, what are their chances of getting some support through the gas tax to build that infrastructure? Of course, the answer is nil because they don't already have the service, and then all of a sudden the population doesn't seem to count. The other issue, of course: We keep hearing about gas tax. It's not the gas tax, it's just from general revenue. In fact, where the gas is sold has no relationship to where the gas tax is going.

I have another colleague who would like to speak to this resolution. Again, I strongly support it and ask every-

one in the House to do similar because I think it's a good first start.

**Mr. John O'Toole (Durham):** I'm pleased to support my colleague and friend the member from Halton. We've always said that Halton and Durham are like the bookends for the greater Toronto area, and I have worked with him and he has worked with me. In fact, he was in my riding just a few weeks ago. I do want to put that on the record. In fact, he pays very close attention to the current economics, as our critic in that area, and he has always been fair-minded. This is the one thing that stands out most importantly.

Why I think most members should support this rather non-partisan resolution is because all it's saying theoretically is that in calculating the contributions to similar provincial programs so that there's universal fairness in all of the decisions, they should look at current, more accurate population numbers.

I can tell you that in Port Perry in my riding of Durham this was an issue a couple of years ago. The mayor at the time was Doug Moffat, a very nice fellow, a great guy. He came to me respecting a couple of things he was concerned about. In fact, at that time we were the government. The civil service—whoever makes these decisions—didn't respond positively. They didn't want to adjust to the numbers they felt because of the growth. The same thing with Mayor Mutton in Clarington, which is in the south part of the riding: They wanted to change the signs on the highways to more accurately reflect a larger number.

How it really shows up in the final analysis is, for years there's been a certain definition of underfunding. That's how this is important and why I wanted to put on the record, on behalf of my constituents, the effect on hospital funding, children's treatment centre funding and transit funding and the sharing of the gas tax, as the member from Oxford has just stated, so I won't go into that.

For instance, the GTA/905 Healthcare Alliance estimates that hospitals in Durham, Halton, Peel and York are underfunded to the tune of \$187 per person living in each region. For us, this gap represents \$762 million last year alone. This simply is not tolerable. It's a similar kind of explanation of what's going on in children's treatment centres, if it's any relationship to their catchment area. The funding on a per capita basis is simply just not fair. Exacerbating the problem are high needs in high-growth areas, which are quite often exceptional to the needs of more stable population-based areas.

I would urge members, in an attitude of fairness in this private members' hour, to support Mr. Chudleigh on this resolution. It's calling for fairness in the province of Ontario in funding of provincial programs based on more accurate population estimates and counts, so that the taxes we all pay for common-good services are shared equitably across the province. I commend the member for bringing this resolution forward.

1100

**The Deputy Speaker:** Mr. Chudleigh, you have up to two minutes to respond.



**Mr. Chudleigh:** I'd like to thank the member from Stormont-Dundas-Charlottenburgh, who was concerned about the costs, and I appreciate this. He must be one of the few members of the Liberal Party who are concerned about costs, although there would be no additional cost to this because this system is already in place. It's already being used when determining doctor shortages or the proportion of doctors in a riding. This is not about added cost; this is about the redistribution of money that is going into programs. So instead of dividing it up in the way it's currently being done, it would be divided up on a per capita basis, on a much more accurate level regarding the number of people who are actually in that population.

Member from Hamilton East, thank you very much for your kind remarks. Can we do it better? What a great concept. We've been doing it this way for many, many years. There are better ways around. These systems are being used within our system. Is there a better way to attack this? As I mentioned in my original presentation, I'm open to other suggestions; I'm open to other ways to do this. Is there a better way? What I'm saying is that when we get 100% deviation—in the case of the Milton experience, receiving \$3.5 million instead of \$7 million for the funding process—is there a better way? Is there a fairer way?

The member for Davenport mentioned that the statistics all give different answers. But the statistics that we use today are the least accurate. There are other systems that we could use, a different set of statistics that would be far more accurate, to within 1% or 2%, I would suggest to the member for Davenport. He seemed to want to stay with the system that creates a 98% divergence.

I'd like to thank the members from Oxford and Durham for their kind remarks as well.

#### FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L'INCENDIE

Mr. Prue moved second reading of the following bill:

Bill 120, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes / Projet de loi 120, Loi exigeant que le code du bâtiment et le code de prévention des incendies prévoient des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Prue, you have up to 10 minutes.

**Mr. Michael Prue (Beaches-East York):** This is a reintroduction of a bill which was unanimously passed by the members present in this House in private members' business on April 21, 2005. Unfortunately, like so many private members' bills, although they receive the approval of the House, they often do not go anywhere on

the order paper, they do not make it to committee and they do not subsequently become law. So this is the reintroduction of a bill that my colleagues unanimously agreed was a good bill a little over a year ago.

I'd like to preface my remarks today to thank four individuals, although there were a great many who were involved in this. The first is Fire Chief Bill Stewart of the city of Toronto, who provided technical expertise, who came and gave information and spoke at a press conference that was held last year.

I would like to thank Chris Bardecki of the Toronto firefighters, who is here today again in support of this bill. The firefighters of Toronto feel that this is a bill that will help to save lives and, potentially, to also save firefighters' lives.

I would like to thank the Federation of Metro Tenants' Associations who have come on board because they recognize and realize that with the passage of this bill, tenants, particularly those who are vulnerable tenants—those living in older units, in older apartment buildings—will have a much safer environment.

Last but not least, and certainly not least, I would like to thank an individual, Tom Steers. Tom Steers was the fiancé of one of two people who were killed in a tragic accident on Queen Street in 1999. He attended literally all of the coroner's jury deliberations and recommendations into that tragic event. He has met subsequently with politicians at all levels and of all stripes, trying to get them to understand the recommendations of the coroner's jury and how they would impact upon the safety of individuals in Ontario. He was instrumental in the preparation of the bill last year and, subsequently, in having it reintroduced today. He encouraged me to reintroduce it, notwithstanding the fate of the last occasion, and I have agreed. He is right; this is a bill whose time has come. This is an idea that must be pushed forward until it is passed.

I would also like to thank my colleague Gilles Bisson for agreeing to change places. Through an order of this House, we changed the order so that my bill, which was scheduled to be held much later this year, is being done today and he has taken my later spot.

At 3 a.m. on January 14, 1999, a fire broke out at 2362 Queen Street East. That fire spread quickly. No one activated the manual pull stations that are common in so many apartment buildings in this city and in this province. The woman in whose apartment the fire started awoke, tried to put the fire out, was unsuccessful, went downstairs to get the superintendent, brought the superintendent upstairs, and the superintendent and she were unable to control the fire. The woman called her daughter and said, "Come and get me. My apartment is on fire," and the daughter came. The superintendent packed up some of the belongings and got the pets out of the apartment and they all went outside. No one pulled the fire alarm. That may seem bizarre to people, but you have to understand that when people are in a panic mode with a fire going on, they don't know what to do. Instead of calling 911, instead of pulling the fire alarm, they did, in



a panic, what some people would likely do, and probably a lot would do: They gathered up their belongings and they went outside. There was no attempt to alert the other residents of the building. By the time the residents knew there was a fire, it was triggered not by anyone pulling the manual alarm but because it got so hot that the wires actually fried in the alarm system and that set it off. It actually evaporated the wires and that set off the alarm. By then it was too late. By then, the building was engulfed in flames and two people died. The fire marshal found that there were multiple violations of the act in the actions of the tenant. But the coroner's jury made two key recommendations, neither of which has ever been acted upon in this province. The first is that interconnected fire alarms should be made mandatory in rental buildings, and the second is that fire escapes must be made of non-flammable materials.

You can understand the confusion of that night. You can understand that no one pulled the manual alarms. You can understand the fear they had and that they thought somebody else would have pulled it; they left that to others. An interconnected fire alarm would quite simply notify all residents in a building when there was a major fire or when there was smoke. The bill asks simply that it be mandatory in common areas of buildings and not in each apartment. I can understand that there was some comment the last time, would this set it off if someone was cooking toast and burnt it? We know that fire alarms will go off in our own houses or our own apartments if we're burning toast or if we overheat cooking oil. That's not what this is about. This is to put it in all the common areas so that by the time the smoke spills out into the hall, by the time it spills out into the common areas and activates the fire alarm, it will set off the fire alarms in other common areas throughout the building so that people will know that there is a real fire. This is something which I think is routine or should be routine. It will not cost a great deal of money.

The second issue involves wooden fire escapes. You know, Linda Elderkin, one of the persons who lost their lives, and Paul Benson, who lost his life at the same time, knew about the fire and were at the top of the fire escape, but they couldn't get down the fire escape because it was completely engulfed in flames. They could not get out. The firefighters could see them at the top screaming and yelling as the panic must have set in, but they could not get up the fire escape because it was burning too heavily, too hard.

1110

One of the firefighters who was there was Scott Marks. He is presently the president of the Toronto firefighters. He has recounted to me, on the last occasion and on subsequent occasions, about the sinking, horrible feeling of a firefighter who wants to do his duty but can't. Because the fire escape was made totally out of wood—in compliance with the laws of the province of Ontario, I might add—it was totally engulfed in flames, and he had to watch two people die on the scene, two people who could have been rescued and would have been rescued

had the fire escape been made out of non-combustible material.

The law today: Section 3.4.7.13(3) of the Ontario fire code reads, "Fire escapes shall be of metal or concrete ... except that wooden fire escapes may be used on buildings of combustible" material. This is strange. If the building can be burnt down, so can the fire escape. If the building can't be burnt down, then you have to have a metal or concrete one. "... if all posts and brackets are at least 89 mm in their least dimension and all other woodwork is ... 38 mm in its least dimension." Those are two-by-fours. That's what we're going to build it out of. This is weak and inadequate.

After the last reading of this bill, April 21, 2005, the news went through CP across Canada. It was front page news in the city of Vancouver, and no wonder: They outlawed this years ago. They have interconnected provisions, and they also have no wooden fire escapes. In 2003, there were no fire deaths in the city of Vancouver because of those two provisions and the sprinkler provision. There were 110 deaths that same year in Ontario. This is incredible.

I want to tell you that what we have here in Ontario has been abandoned in literally every other province of Canada. We need to do much more. We need to emulate Vancouver. We need to work in order to save the people of this province. I would ask the members present to do what you did all those many months ago: Pass this bill again and send it to committee. We need to save lives in Ontario.

**Mrs. Linda Jeffrey (Brampton Centre):** I'm pleased today to speak to Bill 120, the Fire Protection Statute Law Amendment Act, 2006. I'd like to congratulate the member from Beaches-East York for his vision. I remember the first time this bill was introduced—the predecessor bill, Bill 184—in 2005. I'm delighted to support all fire protection legislation designed to save lives.

Fire kills nearly 100 Ontarians each and every year and injures many more, the overwhelming number at home. Despite mandatory smoke alarms and improved building construction, there has not been a substantial reduction in this number in over a decade. The cost to the Ontario economy in health care expenses, property loss and personal impact is in the hundreds of millions of dollars. Smoke alarms are simply not enough.

There is, however, a proven and cost-effective solution that can save lives: residential fire sprinklers. The Ontario building code already requires fire sprinklers in places where we work, shop, dine and learn, to name a few. It is unfortunate that in the place where we should feel the safest, our home, we actually have the least protection.

My private member's bill, the Home Fire Sprinkler Act, is awaiting public hearings. It is imperative that we begin a dialogue on Bill 2. It would require new homes, town homes, apartments and condominiums to have residential sprinklers installed. Over 220 jurisdictions in North America have passed similar legislation, including Vancouver, which has required residential fire sprinklers



for over 15 years. During this time, there has not been a single accidental fire-related fatality where a properly installed and functioning residential fire sprinkler was present.

Residential fire sprinklers are a proven, reliable technology that will respond quickly in a fire, thereby offering seniors, the disabled and our children additional time to escape. Sprinklers save lives. They reduce property loss and they can cut homeowners' insurance premiums. For more than 25 years, nearly a dozen coroners' juries and inquests have recommended changes to the Ontario building code to include residential fire sprinklers.

Bill 120 has the support of the firefighting community, the fire safety industry, many large and small municipalities, contractors, seniors' organizations, the insurance industry and Ontarians right across this province.

Fatal residential fires most often occur between the hours of midnight and 6 a.m., when the victims are asleep. Victims are also disproportionately children and the elderly, who are vulnerable because they're physically less capable of escaping.

There's no single solution to the fire deaths in this province. Rather, for Ontarians to be effectively protecting themselves from fire, we need to use a number of strategies. Simply having a smoke alarm is not enough.

A report by a CBC Marketplace broadcast in June 1990 reported that one third of smoke alarms fail to go off in an emergency. People just don't maintain them. In fact, Canada has one of the highest rates of fire deaths in the world, and almost 80% of them happen at night. Many people think the smell of smoke will wake them up. Fire alarms cannot protect you from fire, and often a fire is out of control by the time people in a residence are warned by a fire alarm. By the time a parent realizes that their house is on fire, it's too late to save the children. By the time you realize there's a fire, it may be too late to save an elderly parent.

The age group of 65-plus constitutes 25% to 30% of fire fatalities in Ontario every year. This demographic is getting older and they're having more difficulty hearing working smoke alarms. As well, their reaction time is likely slower. The installation of residential sprinklers would allow seniors to remain in their homes longer and enhance their quality of life.

I recently read a frightening article written by Jen Horsey of the Canadian Press. She wrote:

"A recent surge in concern over the way children react to smoke alarms has the key Canadian standard setter considering changing the rules that govern the devices.

"Children don't necessarily hear the smoke detectors," Gina MacArthur, a spokeswoman for the Canadian Hearing Society, said ... after a meeting with experts and Underwriters Laboratories ... the group that sets standards for smoke alarms in Canada. There are few scientific studies into children's responses to smoke detectors, but experts agree that kids may be less responsive than adults when an alarm sounds.

"Fire officials universally cite horror stories of frightened children crawling into closets" or under beds "to hide from smoke and the noise of the alarm....

"Fire prevention officer Derrick Ethridge investigated the issue after children in his eastern Ontario community of Loyalist township suggested the alarms wouldn't wake them.

"He teamed up with Queen's University ... and sent 222 questionnaires to grade 6 students asking their parents to conduct night fire drills and record their responses....

"Thirty-two per cent ... didn't wake to the initial sound of the alarm at all, ... 53% didn't wake during the crucial first minute.

"Smoke alarms are required to sound at a standardized level of 85 decibels at a distance of three metres—roughly equivalent to the volume of a garbage disposal at close range.

"But even alarms that meet that standard failed to wake some children....

"Sleep experts suggest the poor response could be due in part to the way kids sleep.... Dr. Shelley Weiss, a pediatric sleep expert at the Toronto Hospital for Sick Children," notes that "[c]hildren spend more time in the deep, dreamless phase of sleep, so even a blaring smoke alarm won't always wake them."

This study should frighten every parent. Parents need to realize that children won't necessarily hear the smoke alarm, and if they do, they won't necessarily respond to it appropriately. In other words, if you rely entirely on a smoke alarm to wake your sleeping child, you may be making a fatal error.

Smoke alarms certainly help save lives, but the number of smoke alarms that have not been maintained properly is staggering. Sprinklers are an automatic device, a technology that requires no human intervention or reaction. Sprinklers are like having a firefighter in your home 24 hours a day, seven days a week. It's a proven technology, like airbags, that doesn't rely on changed human behaviour to prevent an accident or loss of life. Installing both smoke alarms and a fire sprinkler system reduces the risk of a fire death in a home by 82% in comparison to having neither, which is why I introduced my private member's bill.

I agree with the member from Beaches–East York that this is important legislation. I'm happy to support Bill 120, the Fire Protection Statute Law Amendment Act, 2006, and I believe the time is right to make Ontario a national leader in home fire safety.

**1120**

**Mr. Ernie Hardeman (Oxford):** I'm happy to rise and speak in support of this Bill 120 put forward by the member from Beaches–East York. First of all, I want to say, as the member mentioned in his presentation, that this is not the first time this bill has appeared before us. It was here previously and in fact supported unanimously by all those present that morning in private members' business. The reason I bring this up is that I think that is one of the challenges we have here. It would seem strange to me that the House would unanimously be in support of an important initiative like this for the safety of our population, it goes forward, and no one seems to



think it's important to bring that back for third reading and actually have it become the law of the land.

In the process, we would all recognize—particularly you, Mr. Speaker, but I'm sure every member of the House—that when the bill has second reading and goes to committee, the committee can have hearings on it, but at that point it must be the government that calls it back for third and final reading. I think it's so important that the member brought this back, so maybe this will impress the powers that be, and the House leaders of all three parties will see fit that, once this goes back to committee—if, as I expect, it will be passed today—it would be brought back for third reading to make it the law of the land. As a 25-year firefighter, I can tell you that many times one looks at the results after a fire has been put out and says, “If only someone had noticed it sooner, it could have been a much different situation.”

As we look at this law, it really is about making sure that, if there is a problem in the building, if it's in the public area where there is no one present at the time, someone will be notified that it's happening so they can take the action that's needed in order to facilitate the escape and of course the extinguishment as quickly as possible.

It isn't so much the problem that it's a different law for the people in multi-residential. In fact, a couple of months ago it became the law in the province that every residential unit must have these fire alarms on every floor. As I said, I was a 25-year firefighter, but I wasn't sure that where I had my smoke detectors placed was appropriate to meet the rules as they now apply. I did have a quick meeting with our local fire official, the chief of the department, and said, “This is where I have the smoke detectors in my house. Will it suffice?” I have a three-storey house. I had three smoke detectors in the house. So I thought, the way they were placed, everything was fine. He said to me, “All are okay except the one that's in your basement. If you have a bedroom in the basement, it should be close enough to that bedroom so if anything happens in that basement, the bedroom would hear that noise as soon as possible in order to facilitate the removal of oneself from that room.”

I had made the assumption that the best place to put it was in the furnace room, where the opportunity for a fire to start would be most likely. When I told the fire chief that, he said, “That's great. We now have a smoke alarm going off full blast in your basement and no one in the house can hear it.” So obviously it is going to be a useless exercise.

The reason I mentioned that is that that relates to this bill before us. Where there is no one present, you have to be able to get the message out that there's a problem there to the people who will be affected by the end result of this fire. That's what this bill does. It speaks to, in the absence of people, having a smoke alarm go off and having it set up so that the people who would be living in those apartments would, in fact, hear the alarm and could make their decision based on that.

Recognizing, as I mentioned, about the smoke alarms in the house, that law also applies to the units referred to

in this bill. They already must have those in their apartments, but there is nothing presently in the law that requires the landlord, or someone, to put the detecting device in the area where there would most likely be no one present; that is, between the danger that's there and the people who live in the rest of the building. So I strongly support that.

There are a couple of other issues, but one I was intrigued by in the bill was the issue, and the member spoke to it, about fire escapes, and the fact that they should be built of non-combustible material so that they can be used in case of an emergency. I strongly agree with that. It seems ironic that if it's a wooden building, it's not as important that people escape or that someone can get up it as if it were a stone building. I think the people who wrote that part of the building code could think back on it and say, “Yes, I think maybe we made a mistake there and we're awfully happy that the member from Beaches–East York brought this forward so we could correct that before we run into this problem and have to admit how bad a mistake we made.” I very much agree with making sure that all fire escapes are made out of material that is non-combustible so that they will be there to be used.

The one problem I have with the bill, and I'm sure as it goes to committee it will get corrected, is in that section:

“1.(2.2) Regulations made under subsections (1) and (2) shall require that fire escapes, where permitted, are constructed of non-combustible material.”

I really wonder at the need for the wording “where permitted,” because it would seem to me appropriate to say, regardless of whether they were permitted to be there or whether they weren't, that wherever fire escapes are, we don't have wooden fire escapes. I have some concern that if you leave the words “where permitted” in, if it's not saying that they have to be there, where it's not mandated, municipalities could put in that they don't allow fire escapes and then you could put wooden ones there. I think it's somewhat irrelevant as to whether they're permitted or not. That's another issue. Any fire escape built anywhere should be of non-combustible material.

I think it's very important in the implementation that they not only have smoke detectors, but that they be installed in such a way that everyone in the building—that if it's a two-unit building, there are two places where the alarm will go off; that if it's a six-unit building, every unit has access to and will have the alarm go off in their unit, so that a fire that starts in the public area is in fact announced to everyone in the building so proper decisions and evacuations can be conducted and the fire brought under control as quickly as possible.

With that, I want to share my time with my colleague, but I want to commend the member for bringing this forward and I suggest we will be supporting it to make sure this becomes the law of the land.

**Mr. Tony Ruprecht (Davenport):** Thank you to the member from Beaches–East York for introducing his



private member's bill, Bill 120, the Fire Protection Statute Law Amendment Act, 2006. He has already indicated that Mr. Chris Bardecki is here from the Toronto firefighters. I know that if Chris is in support of this 100%, and I'm looking at him right now, it must be a good piece of legislation.

But I have two questions for the member for Beaches–East York. The first one is this: The Ontario building code currently requires that smoke alarms be installed in all residential buildings, even single-family homes, and smoke alarms must be interconnected where more than one is installed in a dwelling. My question goes back to the fire that he described—in January 1999, I think—where two people died in Beaches–East York, whether in fact this was the case or this was illegal.

1130

Second, regarding the requirement for fire detectors in the proposed legislation, both the building code and fire code refer to a fire detector as a device that detects a fire condition and can automatically initiate an alarm signal. It is unclear, therefore, what is meant in the proposed legislation, since a fire detector can include heat detectors and smoke detectors. I hope the member from Beaches–East York is going to clear that part up.

Going back to the coroner's inquest and the recommendations the coroner's jury made in terms of the fire in 1999 that the member for Beaches–East York speaks about, I would agree with at least the coroner's jury recommendation that said, "Let's require each tenant and landlord, when they write a tenancy agreement, to get together and require the landlord to say to the lessee, 'Here is the existing fire alarm pull station. Here is the existing fire alarm system in the house,'" and sign off that the landlord has told the tenant.

That is a very good recommendation, because looking at some of these units in Toronto, what we find is that when the toast is burned and the burning material reaches the smoke detector, which is in the present law, the smoke detector would go off, there's no doubt, if the battery is there. As the law says here, these smoke detectors are supposed to be interconnected, so it isn't simply a question of being in a basement and nobody hears them. If the fire alarm goes off because it activates the smoke alarm system in the basement, and if they're interconnected, as the law stipulates, then the alarms would go off when any one of these smoke detectors is activated. Consequently, interconnectedness of smoke alarm systems is in this legislation. I would ask the member from Beaches–East York to clarify this a bit.

I have one more point to make: Some of the tenants, if the alarm goes off, remove the battery or simply tape over the intake hole. That's something we have to discuss but my time, unfortunately, is over.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased today to stand in support of Bill 120, an act to amend the building code, brought forward by my colleague the member from Beaches–East York. There's certainly nothing more devastating than losing a loved one and then discovering that the tragedy was prevent-

able. This bill gives us all here in the Legislature the opportunity to prevent the tragedy from striking other families. So often, what we do here in the Legislature gradually does impact the lives of Ontarians. Bill 120 holds the possibility of a very tangible impact: saving lives. It's not only our responsibility, I think it is our duty, when faced with legislation that could save lives, to support this bill in a non-partisan way.

I congratulate the member from Beaches–East York for his perseverance with this legislation. It's been brought up many times—this is not the first time it's been introduced—so I encourage the government members to prioritize some of the things that could make a difference. They certainly have the ability to do that, because they are the government.

Bill 120 amends the building code: "Every residential building with two or more dwelling units is equipped with fire detectors in all public corridors and common areas of the building and interconnected fire alarms that are audible throughout the building.... Every fire escape is constructed of non-combustible material."

The member from Beaches–East York brought to our attention what's currently in the fire code. I think it's shocking that there are still fire escapes that are made out of wood. It's incredible to think about that. The last time he introduced the bill he brought up that it was picked up in BC, the fact that Ontario is the only province that doesn't have a rule outlawing wooden fire escapes. So I think it should be a priority; we should recognize that. I encourage the government to move forward on that. They can do this with their agenda. The member from Beaches–East York is doing a good job of prompting them again and again. Hopefully, we can see this into legislation, because we do support this and it is going to save lives. He used the example of the people in his riding, the terrible occurrence with Linda Elderkin and Paul Benson. If their fire escape had been constructed out of metal, they would be here with us now. Their deaths were preventable. It really is difficult to accept that that has occurred.

I know that I have a lot of single detached dwellings and houses in my riding, but we have to think of who lives in the dwellings with wooden fire escapes. Most of us in the room would be surprised that we do know people who live in a building with a wooden fire escape. Students who go to university and college from my riding who are here live in houses, because that's just where students live while they are getting that education. Students are packed into these buildings. We never want anything to happen, but we should plan for the worst. This is what this legislation is bringing forward: the fact that we need to give people a chance if such a situation does occur. The interconnecting smoke alarms would certainly notify the household that the retrofitted garage and dormitory was on fire for these kids. As a nurse, I witnessed the many devastating effects that fire and smoke inhalation itself have on patients and their chances of survival. The longer people have to hunt around thick,



black smoke for an exit—it can be too late. They are overcome, and their chance of survival is less.

We've seen some gruesome images recently of panic and hysteria of people when they're caught in a fire. You can only imagine how you would feel not being able to breathe, not being able to see where you're going. I was shocked and saddened to see on the news the German woman who dropped her child over the balcony and then threw herself over to escape her burning apartment. Those are the types of images that send shivers down your spine. Knowing that your options are to jump or stay in and be overcome by fire is really unthinkable.

We have the chance to make a difference here today. We should institute interconnecting smoke alarms in multi-residential buildings. We have a duty to safeguard the people, to protect people and our firefighters. If we do our part to institute early warning systems and mandate fire-retardant fire escapes, then these courageous firemen and women will not have to endanger their lives unnecessarily. There are certainly circumstances where they must go into dangerous situations, but if we can reduce that number through simple actions, I believe it's incumbent upon us to do so.

The Toronto Professional Firefighters' Association is in support of this legislation. They've taken the time to work with the member from Beaches–East York to ensure that the legislation protects our communities and protects their members. I know that some private members' bills can get lost in the shuffle—we're all busy dealing with issues—but, as I said, this should get everyone's support; this should be brought forward. It is our responsibility to protect the citizens of Ontario, and we do that by what we do here.

I want to commend the member from Beaches–East York for his diligence and his commitment to this cause. We need to support him. He's stuck with it; he believes in it; he speaks passionately about it. We need to set our party politics aside and demonstrate to Ontarians that this is good policy, no matter who brings it forward. Contrary to the popular belief that we can't work together in the House, I think we can show that, in matters of importance, we can all work together in the House. I hope all members in the Legislature will join me and support the member from Beaches–East York with the passage of Bill 120 today.

**Ms. Andrea Horwath (Hamilton East):** It is definitely my pleasure to rise this morning and make some remarks about Bill 120, a bill that was brought forward by my friend and colleague from Beaches–East York, Michael Prue.

I have to start by saying how much we all, I think, take for granted in some way our firefighters in our communities. We take for granted that when we hear a siren going down the street it's because people are rushing to a place where there's going to be danger, where there is going to be possible injury for those workers who are rushing into that situation, where there is a possibility, unfortunately, of death. It's someone who's going in to a situation where everyone else near that situation is run-

ning away. That's what firefighters do in our communities. I think that sometimes we take for granted the fact that those men and women are serving communities across the province day in and day out.

**1140**

So it seems to me absolutely astonishing, completely perplexing, that we don't have some of the basic laws in place in this province that would protect those workers from exacerbation of the dangers that face them every day in their work. I speak particularly about the portion of the bill that addresses the external—I guess they're all external.

I think of fire escapes, where firefighters are approaching a burning structure and see the unbelievable situation that gave rise to the coroner's inquest that took place in that riding of the member for Beaches–East York, when firefighters attend a scene and actually see people becoming victims of the fire. And they are left powerless to save them, powerless to get them out of that fire, because the very apparatus that is currently required under Ontario law to assist firefighters and individuals escaping a burning building is made out of combustible material, is made out of wood, is not even able to function in the capacity that it was intended to function when it was required, under the current building code, to be put in place.

It's absolutely unbelievable that wooden fire escapes are still allowed, that they are still in place in this province and that we have done nothing to make sure that they have been upgraded, changed. You know what says it all to me, when it really became clear in terms of this one small change? Bill 120, by the way, for people who are watching, has got to be one of the smallest bills I've ever seen. Really, it is small in terms of words, but it is huge in terms of impact. There are only really two sections of this bill: One section that deals with the sprinkler system issue and one section that deals with the wooden fire escape issue. But for a bill that's this small, to imagine that we have been indifferent in this Legislature to this issue, that it has now come a second time for second reading debate, that it still has not gone to committee, that it still has not been implemented in the province of Ontario, is unthinkable; it's absolutely unthinkable. It's horrifying to imagine what firefighters face every day already. It's horrifying to imagine the situations that they put themselves in every day. But for me, what's even more horrifying is that a simple change, two simple clauses in the bill, not including the two that talk about when it comes into effect and that kind of thing—I guess, technically, there are four sections to the bill. But the bottom line is, two small changes could make quite a difference.

I was starting to say that it all became very clear about how important this is, not only through the fact that the coroner's office did the investigation finally, after so much pressure by the fiancé of one of the victims of that fateful day back in 1999, but also—and that those recommendations included what was in this bill is extremely important—we need to acknowledge that when



we ask that coroners' investigations take place, when we ask that recommendations come forward, we then have an obligation, an extremely important obligation, to implement the recommendations of these coroners' investigations; otherwise, why would we bother having them? So there's a problem there in terms of making sure that we are seized with the recommendations that come out of these coroners' investigations and that we actually implement the changes that are being recommended.

When the member from Beaches–East York indicated that in 2003 there were zero—none—fire deaths in Vancouver, while in the same year in Toronto there were 110 fire deaths—

**Mr. Prue:** Ontario.

**Ms. Horwath:** Oh, Ontario. Sorry. In the entire province of Ontario, not just Toronto, there were 110 fire deaths. That, to me, is a very clear indication. What's different? Well, the difference is that in Vancouver they already have in place the requirements that Bill 120 would put in place if it gets approved, if it gets supported by the members of this Legislature and implemented in the province of Ontario. It's the biggest difference. They actually have the system of fire alarm notification that is described in Bill 120. They have a ban on or they don't allow wooden fire escapes to be used on buildings in the city of Vancouver. So it seems to me that the indifference that we've had to this issue has to end, and it has to end today. I think that all members would agree that these two small changes, if they save one life, if they save one firefighter from injury, if they save one firefighter's life, then it's good enough; it has done its job. I would put to you that if we put this legislation into place, if we go through the committee process and we implement the two clauses, the two initiatives that are described in the two clauses in this bill, then we will have gone a very long way to catch up to other communities and other jurisdictions in Canada and what they're doing to make sure that we reduce the number of fire deaths that are occurring in our province.

It's unbelievable to me that we still rely on manual systems of pulling a fire alarm. It's interesting, because many of the members today have spoken about the anxiety, the adrenaline that gets going if you're in a fire or if you're in a building that has got a fire, even just hearing a fire alarm. I know for myself, just hearing a fire alarm, you don't know what to do. Your immediate reaction is usually, unfortunately, "Oh, there goes the fire alarm again. Somebody must have been fooling around." That's a problem. There's no doubt that that's a problem. But really, when you get the sense that there is actually an emergency occurring and there may, in fact, be a fire in the building that you are in, it is the scariest, scariest experience. You freeze up. You really don't know what to do. You don't know where to turn.

An interesting story was related to me by a very good friend of mine in Hamilton. She's about my age and she has a couple of children who are kind of young adults, in their late teens. She had gone out for a couple of hours one night and came back, and her daughter looked a little

nervous, a little kind of guilty. Her mom—the woman's name is Sandy Shaw—Sandy said to her daughter, "What did you guys do while I was gone? You're looking awfully guilty." The daughter said, "Well, it wasn't me, it was my brother." There was a little incident, a bit of a fire on the couch downstairs. They had moved the couch around, turned on the gas fireplace, and the heat just kept building and building and the couch caught on fire. So the kids had tried to cover it up. It didn't catch on fire in a big way, I mean, it didn't go up in major flames, but a portion of the couch was burned. So the kids sprayed and they tried to get rid of any evidence of a problem having occurred.

But, of course, when mom came home they had to fess up. So Sandy, at that time, apparently said to the kids, "You know, I'm just glad everybody's safe. It's good that you took care of everything, but bottom line is it still stinks in here, so let's take the couch and let's put it outside, because until we get rid of this burnt, charred little piece on the couch—we have to get rid of the whole couch anyway. Let's just take it outside." Fine, they took it outside. Everybody went to bed. The next morning, she went out to take out her recycling, and she looked on the little patio where they had put the couch. She couldn't figure out what was there. She's looking at the patio and there's this—she's describing it as this bit of a mess on the patio. She's trying to think what the heck could that be? Then it dawns on her—that's where they had put the couch. The fire wasn't out and the couch had continued to burn all night long. By morning, the couch was really just a pile of ashes on their patio. That's a situation that could have turned out much, much worse. I raise this story, I share the story because I think people assume that they know all about what can cause a fire and they know all about how to handle a situation where there is a fire, how to handle an occurrence of that nature. This is a person who is a very educated and very responsible person. The only reason she took the couch outside was because it was stinking up the house, not because she had any idea that in fact there were still burning embers inside the couch that ended up literally burning it to the ground on the patio.

**1150**

Incidents of fires occur. Incidents of fires are something that are not easily dealt with by people. When there's a fire in a building, people lose their ability to be rational. I firmly believe that. Building in systems that take out the requirement for people to think rationally and do the right thing, to take the right step, to be able to call for help through the pulling of a manual fire alarm, taking out that step and assuring ourselves that every building in Ontario is equipped with something that will automatically start the process of bringing the emergency services, bringing the firefighters in particular to the scene to deal with the fire, is almost a no-brainer.

It's just unbelievable that we don't have it in place yet. I know the member has tried very hard to bring this legislation forward a couple of times now. I'm extremely hopeful that the members of this Legislature will unani-



mously support this initiative, and I'm extremely hopeful that we can have quick work at committee, but not ineffective or inefficient work, not short shrift by any means, because there are some issues.

After the member first raised this issue, I went back to my community and heard from a couple of owners of residential care facilities who were operating facilities that were older buildings, in our downtown in particular, and they were concerned about the cost, whether they would be able to afford to replace their wooden fire escapes with metal or concrete structures. I think we need to put an eye to whether there are ways to assist organizations that are providing services to vulnerable people in our community, to assist them with the cost of retrofitting their buildings, not only to deal with the fire escapes but also to deal with the alarm systems.

I think there are things we need to do to make sure that, instead of avoiding the implementation of these new requirements, people will embrace them and implement them wholeheartedly, because it's a matter of saving lives in the province. It's a matter of making sure that firefighters are in a situation where they don't have to worry about running up a fire escape because it might be falling apart under their feet, because it is vulnerable to burning as well, being made of a combustible material.

The bottom line for me is that this legislation needs to go forward quickly. We have been dilatory, by my reading, in not bringing this legislation forward earlier. We need to make sure that we get it through to committee. We need to make sure we make any changes that need to be made to keep it as strong as possible. We also need to consider ways we might be able to assist in the implementation phase, so that we don't have people avoiding the legislation or avoiding responsibilities to upgrade their buildings.

Finally, I want to say that the member from Beaches–East York has done an excellent job. He not only continued to stay in contact with the people who were affected by this fire, particularly the fiancé of the woman who passed away in the fire, Mr. Benson, I guess it was. Is it Mr. Benson? No.

**Mr. Prue:** Tom Steers.

**Ms. Horwath:** Tom Steers. Right. It was Linda and Paul Benson who passed away, and Linda was the fiancé of Tom. He kept in touch with them and continues to push this through. I'll be very proud to be voting in favour of it.

**Ms. Monique M. Smith (Nipissing):** I'm pleased to speak to this bill today that the member for Beaches–East York has brought forward. I don't think any of us in this House has been untouched by some kind of tragedy or fire. This week, a family in Eldee just outside of my community lost their home to fire. Thankfully, everyone was safe, but I certainly know that we all know of circumstances where fire has affected families and friends in our communities.

I just recently met with Chief Ted McCullough, who's the fire chief in North Bay. I was speaking to him about the bill that was presented by my colleague from Bramp-

ton Centre. I know that the firefighters in my community under the leadership of Chief Ted McCullough are doing a fabulous job. I want to join with my colleagues who have all taken the opportunity to commend our firefighters who are doing such great services in all of our communities across the province.

I had a few technical concerns about the bill today that I just want to raise and perhaps have the member for Beaches–East York respond to. Under the Ontario building code, we presently have requirements that smoke alarms be installed in all residential buildings, even single-family homes, and that smoke alarms be interconnected where more than one is installed in a dwelling. We generally require that fire escapes be constructed of metal or concrete, and we have requirements to protect fire escapes from fire.

As the member for Beaches–East York is aware, the Building Code Act falls under the Ministry of Municipal Affairs and Housing, and the Fire Protection and Prevention Act falls under the Ministry of Community Safety and Correctional Services. However, the technical requirements that he is addressing in his bill fall under the building code and the fire code, which are in fact regulations under each of those acts. So I would hope, regardless of where we come to today with this bill, that he will continue to work with those two ministers, as I'm sure they are open to working with him, to make those amendments where they are most effective, which is in fact in the building code, which is a regulation under the Building Code Act, and in the fire code, which is a regulation under the Fire Protection and Prevention Act. Putting these technical kinds of amendments in the act itself changes the nature of the act. As you know, legislation is a complicated process, as I well know these days. We just want to make sure we get these things in the right places.

As well, I'd like a technical clarification. In the bill as presented, the member for Beaches–East York has talked about fire detectors. In the building code, we talk about smoke detectors or heat detectors. I just wondered how you define fire detectors, or what specifically—

**Mr. Prue:** Both.

**Ms. Smith:** Both? Okay. Thank you. Again, in legal drafting they are always very particular about the wordings that we use, so we want to make sure we're talking about the same things.

One last point I'd like to make today is just on the basic need for education. I found it interesting that the member for Oxford, I believe it was, was talking about his experiences with smoke detectors in his home. I believe he said that he'd been in the fire service for a number of years, and he wasn't clear on or aware of where he should place his fire detectors in his home. That, for me, raised major concerns. If he, who has been out in the field, was not clear on where we should have these placed in our homes, then I believe that Joe Q. Public in Ontario is probably in the same boat. I think there is a need for further education by our fire services,



locally and perhaps provincially, on how we best should place these fire detection devices in our homes.

I just want to commend the member for his piece of legislation, ask for those few clarifications, and thank you, Mr. Speaker, for allowing me the opportunity to speak this morning.

**The Deputy Speaker:** The member for Beaches—East York has two minutes to respond.

**Mr. Prue:** I thank all of the members who spoke.

Just to answer a few questions: To the member for Oxford, the word “permitted” means having received a permit. It’s under the building code. It’s not that it’s a permitted use; it’s because they have received a permit. I hope that clarifies that.

The member for Davenport raised the issue about smoke alarms being interconnected within the apartment. That’s not the purpose of the bill. The purpose of the bill is to interconnect the alarms in all of the common areas: not within individual apartments or between apartments, but from one floor to another, from one section of a common area to another, so that all tenants, if smoke spills out into the halls, will be notified. That’s the purpose.

The member from Nipissing raised the issue of the two ministers. Yes, thank you. We were well aware that there are two ministers; there are two separate acts. The intent of the legislation is to change both of those. We recognize the complexity. I have met with the ministers or the ministers’ staff on both of these, and it is doable.

The final thing that I want to raise is the issue—and the member from Hamilton East raised this—about firefighters. They are involved in one of the most dangerous businesses that you can possibly know. Not only is it the danger of rushing to the fire, not only is it the danger of fighting the fire, but it is also the danger—that might occur years and years later—of breathing in the smoke with the carcinogens that are involved and the high rates of cancer that firefighters have. If we can do anything to lessen the incidence of fires, if we can do anything to lessen the severity of the fires so as to not put their lives at risk as well, then I think that we have to do that.

The bill intends to save lives. I know that it’s going to cost money, but there are government programs that will allow for people to recoup some of those costs and, in the end, if we save lives, it will be worth every penny.

**The Deputy Speaker:** The time provided for private members’ public business has expired.

#### ONTARIO POPULATION

**The Deputy Speaker (Mr. Bruce Crozier):** We shall first deal with ballot item number 41, standing in the name of Mr. Chudleigh. Mr. Chudleigh has moved private member’s notice of motion number 15. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

We’ll defer this until after the next ballot item.

#### FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L’INCENDIE

**The Deputy Speaker (Mr. Bruce Crozier):** We’ll deal with ballot item number 42. Mr. Prue has moved second reading of Bill 120. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

We will call in the members to vote on these two ballot items. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

#### ONTARIO POPULATION

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Chudleigh has moved private member’s notice of motion number 15.

All those in favour, please rise.

#### Ayes

Berardinetti, Lorenzo  
Bisson, Gilles  
Bradley, James J.  
Brownell, Jim  
Chudleigh, Ted  
Delaney, Bob  
Dhillon, Vic  
Dunlop, Garfield  
Hampton, Howard  
Hardeman, Ernie  
Horwath, Andrea

Jeffrey, Linda  
Kormos, Peter  
Lalonde, Jean-Marc  
Levac, Dave  
MacLeod, Lisa  
Marsales, Judy  
Mauro, Bill  
McNeely, Phil  
Mitchell, Carol  
O’Toole, John  
Ouellette, Jerry J.

Patten, Richard  
Prue, Michael  
Ramal, Khalil  
Ruprecht, Tony  
Scott, Laurie  
Tabuns, Peter  
Van Bommel, Maria  
Wilkinson, John  
Zimmer, David

**The Deputy Speaker:** All those opposed, please stand.

#### Nays

McMeekin, Ted

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 31; the nays are 1.

**The Deputy Speaker:** I declare the motion carried.

The doors will be open for 30 seconds before the next vote.

#### FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L’INCENDIE

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Prue has moved second reading of Bill 120.

All those in favour, please stand.

**Ayes**

Berardinetti, Lorenzo  
Bisson, Gilles  
Bradley, James J.  
Brownell, Jim  
Chudleigh, Ted  
Delaney, Bob  
Dhillon, Vic  
Dunlop, Garfield  
Hampton, Howard  
Hardeman, Ernie  
Horwath, Andrea

Jeffrey, Linda  
Kormos, Peter  
Lalonde, Jean-Marc  
Levac, Dave  
MacLeod, Lisa  
Marsales, Judy  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Mitchell, Carol  
O'Toole, John

Ouellette, Jerry J.  
Patten, Richard  
Prue, Michael  
Ramal, Khalil  
Ruprecht, Tony  
Scott, Laurie  
Tabuns, Peter  
Van Bommel, Maria  
Wilkinson, John  
Zimmer, David

**The Deputy Speaker:** All those opposed, please stand.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 32; the nays are 0.

**The Deputy Speaker:** I declare the motion carried. Mr. Prue?

**Mr. Michael Prue (Beaches-East York):** I move that this be sent to the standing committee on general government.

**The Deputy Speaker:** Mr. Prue has asked consent that this bill be sent to the standing committee on general government. Agreed.

All matters relating to private members' public business having been completed, this House is adjourned until 1:30 of the clock.

*The House recessed from 1210 to 1330.*

**MEMBERS' STATEMENTS****MABEL READ**

**Mr. Jerry J. Ouellette (Oshawa):** I'd like to take this opportunity to rise to highlight an extraordinary event that took place in my riding recognizing an outstanding citizen, Mabel Read.

On Monday, I had the honour of attending Mabel Read's 100th birthday celebration at Parkview Place, along with family, friends, and numerous honoured guests paying tribute and wishing her well.

Mabel Read was born in Ottawa on June 5, 1906, where she was the third child in a family which included three sisters and two brothers. Mabel came to Toronto from Ottawa by horse and cutter when she was only four years old, and she has vivid memories of the adventure, especially travelling in the snow with her mother, who was expecting her next child at that time.

During the war, Mabel worked the night shift, gunning rivets on Lancaster planes in a hangar in the west end of Toronto. She was enthusiastically involved in bowling and music, and spent many rewarding hours playing flute and accordion in a band. Mabel was married, but unfortunately her husband passed away after only 10 years of marriage. Mabel and her sister Frances travelled extensively together, and rumour has it that Mabel still likes to ride the bus, especially if it's going to a casino. She has been an active member of the Oshawa seniors' centre, and over the years one of her joys has been

modelling in the seniors' centre fashion show and entertaining the residents.

It is indeed a privilege to rise today to recognize one of our community's outstanding citizens and to congratulate her on this unforgettable occasion. I am honoured to have had the opportunity to meet and speak with her, and I'd like to ask all to join me in congratulating Mabel Read on her 100 years young.

**EVENTS IN BRAMPTON**

**Mrs. Linda Jeffrey (Brampton Centre):** I'm delighted today to speak about two exciting events in the Brampton community that are only weeks away.

Brampton's multicultural festival, Carabram, is in its 24th year. The event will run through July 7, 8 and 9. Carabram provides an opportunity for families to tour the world and experience the rich culture, foods, crafts and entertainment of ethnic groups in Brampton. This year's pavilions will represent the Caribbean, Germany, Hawaii, India, Ireland, Italy, Macedonia, Pakistan, Philippines, Poland and the Ukraine. Previously, Carabram has attracted over 60,000 visitors from around the world. In addition, the Lieutenant Governor will be hosting Carabram at a reception in the Legislature next week.

The second event is Brampton's seventh annual Classic Cars and Legendary Stars. Organized by the Brampton Downtown Business Association, the event features hot cars and cool music. Running from July 13 through 15, the festival showcases live entertainment, from bands to tribute artists. I know first-hand that Gage Park becomes the centre of great food, drink and company. The "show and shine" on Saturday will be a show-stopping parade of classic and antique cars. There will be more than 100 cars on display, including real antique cars from the 1920s through the 1970s.

We've ordered good weather, and I hope members will take the opportunity to visit Brampton for these exciting summer events.

**YOUTH SERVICES**

**Mrs. Julia Munro (York North):** This morning, I attended a press conference given by Family Service Ontario where they called on the government to save the Families and Schools Together program. This program works to prevent family violence and breakdown, child abuse and neglect, school failure, and juvenile violence and delinquency.

This vital program is funded by the Early Years challenge fund established by our PC government. These grants are ending and the Liberal government refuses to renew or replace them.

Parents and family members this morning told us that more than 1,000 at-risk families may lose access to this program. The Families and Schools Together program has received numerous awards and is endorsed by the Canadian Association of Chiefs of Police, amongst others. Not only is their funding in jeopardy, but the Minister of Children and Youth Services refuses to even meet



with them. Parents and staff had to come and hold a press conference at Queen's Park to get the minister's attention.

I call on the minister today to meet with the staff and families of this program. Listen to them. Find out about the good work the program does, and then keep funding them to do the good work they do.

#### HAMILTON WATERFRONT TRAIL

**Ms. Judy Marsales (Hamilton West):** We in Hamilton are creating our city's new vision for the future one step at a time, and the literal expression of this statement took place recently with the opening of the Hamilton waterfront trail extension.

Twenty years ago, very few people would have believed we would be celebrating Hamilton's magnificent waterfront. However, the province has invested \$1.3 million in this initiative and I was honoured to be part of the celebration.

Not long ago, Hamilton harbour was mainly industrial, with only 5% of it accessible to the public. Today more than two thirds of the shoreline is open to the public. Walking trails, panoramic views, the gorgeous Canada Marine Discovery Centre, the Haida, the HMCS Star and our own Hamilton boat cruise are but a few examples.

We take pride in the forged partnerships that have worked to create this lasting legacy of great natural beauty, and this project would not have been possible without the dedication of many volunteers and tireless workers such as Werner Plessel, executive director of the waterfront trust; Marilyn Baxter, executive director of the Bay Area Restoration Council; Chad Collins, councillor for the city of Hamilton and chair of the waterfront trust; Keith Robson, CEO of the Hamilton Port Authority; Alice Willems, manager of the Marine Discovery Centre and the Haida for Parks Canada; John Dolbec, executive director of the chamber of commerce; HMCS Star personnel; and our own Brian Henley, a local historian.

This official opening showcased the expansion of Williams Coffee Pub, the inaugural tour of the Hamilton waterfront trolley and the opening of Waterfront Scoops. That's ice cream, for the uninitiated.

We welcome everyone to Hamilton this summer. Come and walk a mile in our historic shoes.

#### ONTARIO ECONOMY

**Mr. Ted Chudleigh (Halton):** It's with sadness that I stand today and express my concern for Ontario's lagging investment climate, which has fallen behind Alberta, British Columbia, Saskatchewan and Newfoundland, and we are expected to be overtaken by Manitoba. It should come as no surprise that Ontario's worsening investment climate can be attributed to a growing list of the McGuinty Liberals' broken promises and misguided policies.

To remind you: the infamous promise of not raising taxes, followed by the largest tax increase in Ontario's history; increasing corporate taxes; increasing taxes to

small business; increasing capital taxes; and every year, the McGuinty Liberals manufacture deficits and go on massive spending sprees, breaking their promise to balance the budget.

Ontario's tax system discourages growth and investment compared to other jurisdictions in Canada. A C.D. Howe Institute report states, "If Ontario were an independent country, its effective tax rate would be close to China's 45.8% ... rate on capital, hence ... the highest of all jurisdictions surveyed." This government doesn't seem to realize that it is severely damaging Ontario's ability to compete on both the national and international levels. It doesn't seem to realize that it is driving business away through its archaic tax-and-spend policies. It doesn't seem to realize that Ontario needs the private sector, and the private sector needs safe, secure and affordable power.

When will this government stop the deterioration of Ontario's competitive advantage? Ontarians deserve better.

1340

#### WILLIS BLAIR

**Mr. Michael Prue (Beaches-East York):** On May 26 this year, people from East York, east Toronto and Scarborough got together to host and roast at the Toronto Hunt a certain Willis Lincoln Blair. Members of this place may know Mr. Blair. Mr. Blair is probably best known around East York as a former alderman and mayor of East York, where he served from 1959 to 1976. He was also on Metro council, from 1967 to 1976, when he retired and went to the Ontario Municipal Board, and then on from that to the Liquor Licence Board of Ontario, where he served, again with distinction, from 1981 to 1986.

People gathered at the Toronto Hunt a couple of weeks ago to remember what Willis Blair did for Toronto East General Hospital; that's what we were there for. He was on the board of directors for more than 20 years. He contributed in ways that truly made our hospital a great community institution. He was and continues to be an honorary member of the foundation and continues to do good work around that hospital.

If that wasn't enough for a lifetime, he was also and continues to be an active member of the Kiwanis Club of East York, where he has been recognized as a Mel Osborne fellow. He is still a participant in the Empire Club of Canada. He is still one of the leading people in his local church, Westview Presbyterian Church in East York.

The people who gathered that night remember and applaud Willis Blair for his decades of service to our community.

#### PORTUGUESE CANADIAN COMMUNITY

**Mr. Peter Fonseca (Mississauga East):** I rise in the House today with great pride to mark Portugal Day here

in the province of Ontario. This year is the fifth anniversary of Portuguese Heritage and History Month in Ontario.

Every year, during the month of June, Luso-Canadians—those who speak Portuguese—come together to celebrate our unique heritage and culture, and have so much to celebrate. Portuguese Canadians have made a vast contribution to Canadian society and culture. We contributed to the building of this country's roads, bridges, houses and skyscrapers. We excel in the arts, music and theatre. We have made contributions in academics, athletics, business and politics. Portuguese Canadians can be found succeeding in every field and discipline.

In celebration of Portugal Day, a large group of prominent Portuguese Canadians will be hosted by myself and my colleague Tony Ruprecht, as well as Mike Colle, Minister of Citizenship and Immigration, for the official raising of the Portuguese flag at Queen's Park tomorrow afternoon.

#### *Remarks in Portuguese.*

I would like to take this opportunity to acknowledge the continuous contributions made by individuals of Portuguese heritage in Ontario. I would also like to encourage members of this Legislature to join us tomorrow and also to take part in Portuguese festivities in their ridings this month.

Portugal Month offers an excellent opportunity to learn more about one segment of the cultural fabric that makes up this great province of Ontario.

### INSURANCE RATES

**Mr. Tony Ruprecht (Davenport):** Two months ago, I and hundreds of homeowners received a letter from Allstate Insurance Co. telling us to expect an increase in rate based on our credit score. The letter reads:

"One of the sources is TransUnion who provides us with aspects of a consumer's credit history which we use to establish a score. Canadian insurers have found these specific characteristics, when used together, are very predictive of future insurance losses. Based on your score," Mr. Ruprecht, "with respect to your property insurance coverage, your premium reflects an increase from this factor."

This is wrong. Why should I pay more for my home insurance because my credit score has dropped a few points?

I've stood in this House time and again pointing out that every adult should check their credit score. Why? Because even errors or mistakes on your credit report drop your credit score, and thus you pay more for insurance, your loans, and finally, you may not even get a loan.

Insurance companies and consumers of this province should know that linking home insurance rates to a person's credit score is highly unfair and completely unacceptable.

Finally, I wish to thank the Insurance Brokers of Ontario for their support and sharing the same view on this subject as I do.

### HEATHER CROWE AWARD

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Today, I rise to announce and celebrate five recipients of the newly established Heather Crowe Award.

First, Pat Vaeriano, former controller in the city of Hamilton: In 1978, he launched a valiant and successful campaign to put a bylaw in place to protect the public against the effects of second-hand smoke. He was not only ahead of his time, but a mentor to all who were to follow him.

Next, Marvin Caplan, former chair of the Hamilton-Wentworth region's community services and public health committee. Marvin was a tireless advocate for broad public health issues. He fought to put the issue to a vote in Hamilton and, in so doing, clearly established that 87% of Hamiltonians wanted a smoke-free bylaw in place.

Third, Dr. Barbara Gowitzke, lifelong advocate for healthy lifestyles and a smoke-free Ontario. A mentor and dear friend, Dr. Barb was and continues to be a true pioneer.

Finally, Cathy and David Pengelly: What a team. As executive director of the Hamilton-Wentworth Lung Association, Cathy Pengelly worked to build an effective coalition of health professionals to fight the fight for clean air. Her partner, Dr. David Pengelly, is a renowned air quality researcher who has championed important air quality causes.

Often scorned for their early efforts, today these five individuals are considered patron saints of the struggle to ensure better public health for us all.

### DORIS STERLING

**Mr. Norman W. Sterling (Lanark–Carleton):** On a point of order, Mr. Speaker: Today is a very, very important day in the Sterling family. My mother, Doris Sterling, turns 97 years old today. I'm going to be here a long time, fellows. My brother, John, and his wife, Alice, my sister, Mary, and her husband, Eric, and my uncle—her brother, Douglas Swerdfager—are having lunch at this very moment at the Unitarian House in Ottawa and are watching our proceedings.

My dad, Jack Sterling, died 62 years ago, leaving mom a young widow, but that never deterred her from her task of raising four young children and pursuing a career as a teacher at Hilson Avenue Public School. She was an excellent teacher as well. She has made a tremendous contribution to our province, to her community, to her church and to her many, many pupils. Her four children, 11 grandchildren and 26 great-grandchildren wish her the very best. They are all Conservatives.

I thank her for her love and her care over the past 97 years. We love you, Mom. You've done tremendous



things for all of us. Have a great day with your family and your friends.

### VISITORS

**Ms. Judy Marsales (Hamilton West):** On a point of order, Mr. Speaker: I'd like to recognize Mr. Gene Stodolak, who is in the members' gallery this afternoon. Mr. Stodolak is the chairman of the Ontario Association of Certified Engineering Technicians and Technologists. We welcome you to Queen's Park today.

**Mr. John O'Toole (Durham):** On a point of order, Mr. Speaker: I'd like to recognize the class of 1995. This is the 11th anniversary of June 8, 1995, when we formed government, and we'll be back—

**Mr. Peter Kormos (Niagara Centre):** —Mr. O'Toole said with great sorrow.

On a point of order, Mr. Speaker: I want to welcome secondary school students from Notre Dame school in Welland and their teacher, Agi Mete, who's in the visitors' gallery looking over the shoulders of the government this afternoon.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr. Pat Hoy (Chatham-Kent Essex):** I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

**The Clerk-at-the-Table (Mr. Todd Decker):** Your committee begs to report the following bill as amended:

Bill 104, An Act to establish the Greater Toronto Transportation Authority and to repeal the GO Transit Act, 2001 / Projet de loi 104, Loi visant à créer la Régie des transports du grand Toronto et à abroger la Loi de 2001 sur le Réseau GO.

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted? Agreed?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour will rise one at a time and be recognized by the Clerk.

#### Ayes

Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Jeffrey, Linda	Ruprecht, Tony
Bradley, James J.	Kwinter, Monte	Sandals, Liz
Bryant, Michael	Lalonde, Jean-Marc	Scott, Laurie
Caplan, David	Levac, Dave	Smith, Monique
Chambers, Mary Anne V.	MacLeod, Lisa	Smitherman, George
Chudleigh, Ted	Marsales, Judy	Sorbara, Gregory S.
Colle, Mike	Mauro, Bill	Sterling, Norman W.
Dhillon, Vic	McMeekin, Ted	Van Bommel, Maria
Duguid, Brad	Miller, Norm	Watson, Jim
Dunlop, Garfield	Munro, Julia	Wilkinson, John

Flynn, Kevin Daniel  
Fonseca, Peter  
Gerretsen, John  
Hardeman, Ernie

O'Toole, John  
Ouellette, Jerry J.  
Phillips, Gerry  
Pupatello, Sandra

Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles

Kormos, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 44; the nays are 2.

**The Speaker:** I declare the motion carried. The bill is therefore ordered for third reading.

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mrs. Linda Jeffrey (Brampton Centre):** I beg leave to present a report from the standing committee on general government and move its adoption.

**The Clerk-at-the-Table (Mr. Todd Decker):** Your committee begs to report the following bill, as amended:

Bill 109, An Act to revise the law governing residential tenancies / Projet de loi 109, Loi révisant le droit régissant la location à usage d'habitation.

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1358 to 1408.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Bentley, Christopher	Jeffrey, Linda	Ramsay, David
Berardinetti, Lorenzo	Kwinter, Monte	Ruprecht, Tony
Bradley, James J.	Lalonde, Jean-Marc	Sandals, Liz
Bryant, Michael	Levac, Dave	Smith, Monique
Caplan, David	Marsales, Judy	Smitherman, George
Chambers, Mary Anne V.	Matthews, Deborah	Sorbara, Gregory S.
Colle, Mike	Mauro, Bill	Takhar, Harinder S.
Dhillon, Vic	McMeekin, Ted	Van Bommel, Maria
Di Cocco, Caroline	McNeely, Phil	Watson, Jim
Duguid, Brad	Meilleur, Madeleine	Wilkinson, John
Flynn, Kevin Daniel	Phillips, Gerry	Wong, Tony C.
Fonseca, Peter	Pupatello, Sandra	Wynne, Kathleen O.
Gerretsen, John	Qaadri, Shafiq	Zimmer, David
Hoy, Pat	Ramal, Khalil	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Horwath, Andrea	O'Toole, John
Chudleigh, Ted	Kormos, Peter	Ouellette, Jerry J.
Dunlop, Garfield	MacLeod, Lisa	Prue, Michael
Hampton, Howard	Miller, Norm	Scott, Laurie
Hardeman, Ernie	Munro, Julia	Tascona, Joseph N.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 41; the nays are 15.

**The Speaker:** I declare the motion carried. Pursuant to the order of the House dated May 16, 2006, the bill is ordered for third reading.

## INTRODUCTION OF BILLS

### FAIR ACCESS TO REGULATED PROFESSIONS ACT, 2006

#### LOI DE 2006 SUR L'ACCÈS ÉQUITABLE AUX PROFESSIONS RÉGLEMENTÉES

Mr. Colle moved first reading of the following bill:

Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions / Projet de loi 124, Loi prévoyant des pratiques d'inscription équitables dans les professions réglementées de l'Ontario.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The minister may wish to make a brief statement.

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I'll wait for ministerial statements.

**The Speaker:** Motions?

## VISITORS

**Mr. Garfield Dunlop (Simcoe North):** On a point of order, Mr. Speaker: I'd like to take this opportunity and hope everyone in the House will welcome students from the Brechin Public School in Brechin and the Hillcrest Public School in Orillia, who are both here today in the audience.

**Mr. Peter Kormos (Niagara Centre):** On a point of order, Mr. Speaker: Unanimous consent to revert to introduction of bills, please.

**The Speaker (Hon. Michael A. Brown):** Mr. Kormos has asked for unanimous consent to revert to introduction of bills. Agreed? Agreed.

### ONTARIO LABOUR MARKET BOARD ACT, 2006

#### LOI DE 2006 SUR LA COMMISSION ONTARIENNE DU MARCHÉ DU TRAVAIL

Mr. Hampton moved first reading of the following bill:

Bill 125, An Act to establish the Ontario Labour Market Board / Projet de loi 125, Loi créant la Commission ontarienne du marché du travail.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

The member may wish to make a brief statement.

**Mr. Howard Hampton (Kenora-Rainy River):** The bill would establish the Ontario labour market board, a

crown agency which is to assume broad responsibilities for the promotion, coordination, design and provision of programs and services with respect to labour force training and adjustments.

### JOB PROTECTION COMMISSIONER ACT, 2006

#### LOI DE 2006 SUR LE COMMISSAIRE À LA PROTECTION DES EMPLOIS

Mr. Hampton moved first reading of the following bill:

Bill 126, An Act to provide for a Job Protection Commissioner / Projet de loi 126, Loi prévoyant la nomination d'un commissaire à la protection des emplois.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Howard Hampton (Kenora-Rainy River):** This bill would create the office of job protection commissioner, with the objects of seeking to enhance the competitiveness and effectiveness of business enterprises and of Ontario's economy in general, to prevent workplace closure and resulting job losses, and to mitigate the effects of job losses. The job protection commissioner would carry out these objects in a variety of ways, including conferring with business enterprises and employee groups, promoting the development of economic plans, making policy recommendations to various levels of government and providing mediation services.

### EMPLOYMENT STANDARDS AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI

Mr. Hampton moved first reading of the following bill:

Bill 127, An Act to amend the Employment Standards Act, 2000 / Projet de loi 127, Loi modifiant la Loi de 2000 sur les normes d'emploi.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Howard Hampton (Kenora-Rainy River):** This bill makes several amendments to the Employment Standards Act, 2000. The bill provides for increased notice periods—16, 20 and 24 weeks respectively—building them into the act itself, and adds the requirement of a mass layoff agreement between labour and management, dealing with such matters as retraining and restructuring options.

Section 64 of the act provides that an employee is entitled to severance pay if he or she has worked for the employer for at least five years and the employer has a payroll of at least \$2.5 million. This bill reduces the qualifying period of employment to one year and the payroll level to \$1 million.



## STATEMENTS BY THE MINISTRY AND RESPONSES

### IMMIGRANTS' SKILLS

#### COMPÉTENCES DES IMMIGRANTS

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Today is a most important day that demonstrates our strong commitment to newcomers to Ontario. With this proposed legislation, Ontario is going further than any other province in breaking down barriers that stand in the way of their success.

Too many skilled newcomers are frustrated with the complexities of the current process for licensing and admission to our regulated professions, whether they are trying to work as accountants, pharmacists or doctors. According to the Conference Board of Canada, our economy loses up to \$5 billion every year because the skills and credentials of internationally trained professionals are not recognized.

With our flat birth rate and our rapidly aging population, all of Ontario's net labour growth will come from immigration within the next five years.

C'est un fait que l'Ontario a un grand besoin des talents et de l'expérience internationale que beaucoup d'immigrants nous apportent.

The reality is that Ontario needs the skills and global experience that many newcomers bring to our communities. They are a brain gain. We can no longer afford the brain waste.

That's why our government is making sure that more newcomers have the opportunity to practise their profession, whether it be teaching, forestry or geoscience.

1420

Today I'm proud to introduce the Fair Access to Regulated Professions Act, 2006. If passed, this legislation will be the first in Canada to establish barrier-free application and admission practices and procedures that are fair, transparent, timely and applicant-friendly. It means 34 regulatory bodies in Ontario will be required to have licensing and admission practices that are efficient, affordable, understandable and accessible.

The goal is to get more qualified internationally trained professionals into the fields in which they've been trained, whether it's land surveying or law, teaching or accounting. The bill includes the appointment of a fairness commissioner to make sure the registration and admission practices of all regulatory bodies are fair and expeditious and the legislation is complied with. The commissioner will require annual reports from the regulated professions and will oversee audits to ensure that our standards are being met. He or she will also work alongside the regulatory bodies to improve practices and remove barriers.

Our proposed legislation also calls for the creation of an access centre for the internationally trained. This will provide a one-stop resource centre where internationally trained individuals and others can get information, re-

ferrals and support as they attempt to navigate the application process. Such support would increase the chances of success, lower frustration levels and provide expert advice to internationally trained individuals.

I'm also going to establish a minister's round table on fair access to regulated professions. The round table will include internationally trained individuals and representatives from community groups, agencies, regulatory bodies, colleges, universities and employers to advise me on how this proposed legislation should be implemented and how we can continue to break down barriers and increase opportunities for internationally trained individuals and regulated professions.

Je tiens à remercier les agences d'établissement, les groupes de défense, les employeurs et les professions réglementées pour leur importante contribution à nos travaux.

I want to thank newcomer settlement agencies, advocacy groups, employers and many of the regulated professions for their thoughtful insights on this matter and for their dedication to finding solutions and positive outcomes. We all want skilled newcomers to be able to make a good life for themselves and their families in Ontario. It is essential for Ontario's prosperity. By helping newcomers achieve their goals and aspirations, we not only help those who choose Ontario as their new home but we help all Ontarians, who stand to benefit from all that newcomers have to contribute to our society, our culture, our economy and our communities across the province.

Today's proposed landmark legislation is a crucial part of our comprehensive approach to helping newcomers succeed. It is the cornerstone of our plan for newcomer success and opportunity as we build a stronger Ontario, both socially and economically. We are the first provincial government in Canada to establish an internship program for internationally trained individuals in provincial ministries and crown corporations across the Ontario government. We are also investing in a loans program for internationally trained professionals, with individual loans of up to \$5,000 to defray the cost of courses, exams and fees.

All of us in this Legislature want to ensure that newcomers have the opportunity to pursue their goals and make a better life for themselves in Ontario. I'm hopeful that my colleagues on all sides of the House will support our bill and see it as a significant step forward in providing a more level and fair playing field for internationally trained professionals in Ontario.

Today I would like to thank and recognize the following people in the members' gallery: First of all, former judge and respected civil servant of the highest level, who was really the leader in this initiative, Judge George Thomson. He is with two of his colleagues who were so helpful in this initiative: Karen Cohl and Don Chiasson, who helped draft the Thomson report; also Mario Calla from COSTI Immigrant Services; Christopher May from the Institute of Chartered Accountants of Ontario; Ratna Omidvar from the Maytree Foundation; Thomas Qu from the Chinese Professionals Association of Canada; Gene



Stodolak from the Ontario Association of Certified Engineering Technicians and Technologists; Jane Cullingworth from Skills For Change; Khan Lee from OCASI; and Rena Porteous from the College of Midwives of Ontario, all of whom have been outstanding advocates and champions for the internationally trained. They deserve much of the credit for this legislation.

The president of the Ontario Chamber of Commerce, Len Crispino, said that our proposed legislation will help, as he said, “cut through the red tape and” will put “foreign trained professionals one step closer to the workforce.” Jane Cullingworth, who’s with us today from Skills for Change, said, it’s “a good day not only for internationally trained and educated professionals, but for all Ontarians.” As Judge Thomson said, “I am very pleased that the government is taking important steps, both to remove hurdles facing many foreign-trained professionals and to ensure that the procedures for admission to the professions are transparent and fair.” While also respecting the independence of regulatory bodies, this legislation represents a thoughtful and balanced approach to resolving long-standing issues.

This bill speaks to our best values. It speaks to what Ontario is all about: fairness and opportunity. Today is a big step forward in making sure Ontario’s newcomers have the opportunity to reach their goals and achieve their dreams. The simple truth is that when newcomers succeed, we all succeed.

Quand les nouveaux arrivés réussissent, nous réussissons tous.

**Mr. Tony Ruprecht (Davenport):** I think it’s only appropriate that we welcome at this stage, after the minister’s statement, a person who is in the process of becoming a physician. He came from Byelorussia. Congratulations to him. He’s Dr. Alexander Matveyev.

## SPECIAL EDUCATION

### PROGRAMMES D’ENSEIGNEMENT À L’ENFANCE EN DIFFICULTÉ

**Hon. Sandra Papatello (Minister of Education, minister responsible for women’s issues):** I rise in the House today to outline and explain how the McGuinty government is reforming the special education system to support better student outcomes. We’re modernizing the way that special education programs are delivered and changing evaluation methods to improve achievement for students who cannot be left behind.

Les élèves ayant des besoins particuliers méritent une éducation d’excellente qualité qui leur permette de réussir.

Il existe près de 290 000 élèves en Ontario qui reçoivent de l’aide par l’entremise de programmes et de services d’éducation de l’enfance en difficulté.

Quels que soient les défis particuliers qu’ils doivent relever, ces élèves méritent tous notre pleine attention.

We must shift our thinking to more student achievement and away from process and paperwork. Ontario is

currently facing a backlog of students who require assessments. Teachers need better teaching tools to give students with special education the best education possible. Some parents would like a stronger voice in the education of their children if their children have special needs. For all of these reasons, we announced this morning that we’re making changes to Ontario’s special education system so it is more responsive to the needs of the students.

We’re developing new parent engagement and dispute resolution guidelines for school boards. These will give parents a more effective voice in their child’s education. We’re also encouraging school boards to put a greater focus on student outcomes and reduce administrative processes. And we’ve awarded grants totalling \$50 million to various organizations that deliver valuable support to students with special education needs. Soon, students will benefit from more teacher professional development provided by the Council of Ontario Directors of Education—that is supported by a \$25-million grant from our government; more student assessments conducted by school boards in co-operation with the Ontario Psychological Association—that’s supported by a \$20-million grant from our government; more training by the Geneva Centre for Autism for teachers’ assistants who have students with autism spectrum disorders, supported by a \$5-million grant from our government.

## 1430

Today was the first day that I, as Minister of Education, and the Minister for Children and Youth Services jointly presented this announcement. We think this is a strong indicator of how our ministries will work together for the betterment of students with special needs in Ontario. We thought today was quite a landmark. I was very pleased that Minister Chambers was there.

These programs and supports respond to many of the recommendations made by the working table on special education. That working table was co-chaired by Dr. Sheila Bennett, quite renowned in this field, an associate professor at Brock University, and by my colleague and parliamentary assistant Kathleen Wynne, who I know is here today and is very proud of this report.

We released that report today. It is available on our website. The working table’s report found that the system needs to be more focused on student learning, achievement and access to the Ontario curriculum.

I want to personally thank Kathleen and Sheila, in addition to those participating: the teachers, teachers’ assistants, principals, trustee associations and parents who contributed hours of their time and energy to improve our education system. More students will now have access to a better education because of their very valuable input and advice. I thank them greatly.

I am also proud to report that the McGuinty government has a coordinated approach to helping children and youth with special needs and their parents. This includes as well the Ministry of Community and Social Services. Our new minister, Madeleine Meilleur, is piloting a new mentoring program that will give young adults with a developmental disability the guidance, skills and inspir-



ation they need to achieve success in life after school. I hope everyone can see this kind of coordinated, integrated process as benefiting children.

Starting this year, the Ministry of Children and Youth Services is investing an additional \$10 million annually to help Ontario's children's achievement centres provide services to approximately 4,800 more children and youth with special needs.

These are important new initiatives. They will improve the learning environment for students with special education needs. We're working hard on many fronts to make a real difference for our province's most vulnerable young people and their families.

**The Speaker (Hon. Michael A. Brown):** Responses?

### IMMIGRANTS' SKILLS

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I am pleased to respond to the Minister of Citizenship and Immigration on behalf of John Tory and the PC caucus and to thank the member opposite for finally acting to grant fair access to regulated professions.

The previous Conservative government started this ball rolling, and was unfortunately sidelined by a Liberal agenda before we had the opportunity to make it a reality. Three years later—

*Interjections.*

**Ms. Scott:** At least you're awake—the McGuinty government is finally coming to the table with legislation that will reduce some of the barriers that foreign-trained professionals face when coming into this country and this province to work.

Our population growth is stagnating. We will not be able to meet the future demands of the labour market within our borders. We actively need to encourage foreign-trained professionals to choose Ontario and work in their chosen field.

The problem is that we do a fabulous job of marketing Ontario overseas, but we do a very poor job of preparing them for the real challenges they face when they arrive. We make it sound like they can just hop off the plane and into an office within a week, but unfortunately this is not the case. Oftentimes they need to recertify, and to do that, they must study, pass tests and learn the English, job-specific, technical wording that will enable them to practise their trade or profession in Ontario.

They not only need the information, but a critical part of the problem is providing them with a realistic timeline. Making certain they understand that the process will take a certain period of time helps them make their decision and put plans in place to ensure the well-being of their family during that time.

Time and time again, I hear of foreign-trained professionals not working in their chosen field, often a field in need of workers, because they have not had time to study and certify in Ontario. Meanwhile, their children's need of clothes and shoes and putting a roof over their heads takes priority.

What the McGuinty government's proposed plan does not do that the Conservative government was very clear about is that the information-sharing and certification process needs to take place before these professionals have uprooted their families and sold their homes and moved to Ontario. As usual, the McGuinty government has chosen to take an issue that needs our attention as one of the key pieces of the puzzle to keep Ontario moving forward, and they have gone only halfway.

Has the McGuinty government made provisions for these foreign-trained professionals to get access to this information in their own language? No. Is the McGuinty government truly focused on streamlining access to Ontario by foreign-trained professionals? No. If they were, they would have started the certification process in their home country, not waiting until they sell up and pack up their homes and move here to begin the process.

This is a step in the right direction, but as usual, the Liberal government has only gone halfway up the stairs. We have much more work to do with this legislation before we can start patting ourselves on the back.

### SPECIAL EDUCATION

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to respond to the Minister of Education on behalf of John Tory and our caucus. Again, the Minister of Education announced this morning that the government is supposedly investing in special-education reforms. We are pleased that after five months of sitting on this report, the government finally found time to share it with the people of Ontario. It is unfortunate that once again they are throwing money out the door in an attempt to alleviate the guilt of not living up to their commitments. I commend the hard work of the advisory panel and all their time and effort to provide this government with the framework with which to truly help students with special needs in Ontario. Instead, they announced very little in the way of true commitments.

This government has promised again and again, and broken the promise again and again, to help autistic students. This morning, they announced new funding for special-needs programs, but once again failed to live up to the commitment to fund programs for autistic children. Dalton McGuinty made this promise to autistic children and their parents during the 2003 election campaign. "The Ontario Liberals support extending autism treatment beyond the age of six," said Mr. McGuinty. The Premier himself said again, "I ... believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory." The minister missed a prime opportunity to fulfill that commitment today to fully fund autistic children in Ontario. The announcement made today is nothing more than vague rhetoric. Nowhere does it demonstrate a commitment to extend autism treatment beyond the age of six.

The minister was responsible for community and social services and ducked this file. Now, as Minister of Education, there is an opportunity to correct this, and it is



once again passed up. This government cannot continue to avoid their commitment to fund these programs. The minister should have taken the opportunity during the announcement this morning to live up to the commitment they promised.

As well, you have school boards in this province sitting on pins and needles, waiting to hear what kind of money they are going to have to spend this year. They are waiting for this government to come forward with their grants for the next school year, and instead, you make airy announcements with further platitudes to, "Just wait." School boards cannot afford to keep waiting, and the government needs to let them get on with their job of educating Ontario's children and not waste their time with vague delays.

### IMMIGRANTS' SKILLS

**Mr. Michael Prue (Beaches–East York):** My first response is to the Minister of Citizenship and Immigration. More than three years ago, Dalton McGuinty and the Liberals promised, "We will require that all Ontario trades and professions accelerate the entry of qualified new Canadians. If after one year the profession or trade has not eliminated barriers to entry, we will act." A year went by and nothing happened. Two years went by and nothing happened. And now, with almost three years, we finally pretend to have some action. But I have to tell you, Mr. Minister, probably everyone in this House is underwhelmed by the response.

For the engineers driving taxicabs, for the doctors delivering pizza, I don't think that what has been done today is near enough. This legislation does very little. I welcomed Mr. Thomson here to the House. I welcomed what he had to say. And what did he have to say? He told you that foreign-trained professionals needed an independent body they could appeal to when professional bodies rejected their qualifications. Do we see that in today's announcements? It's not there. But that was one of the key planks he recommended to you. He also recommended to you that the McGuinty government's expert told you that concrete timelines had to be established so that foreign-trained professionals wouldn't be left waiting for years to find out whether they could practise their trade. Did you put in any concrete timelines? There are no concrete timelines.

1440

It's all well and good to underwhelm us with something that you're promising to do so that maybe you're going to help 1,000 people a year. Every one of us welcomes your helping 1,000 people a year. The problem is that this year Ontario is going to welcome 12,500 foreign professionals. You're going to help 1,000 of them. That means 11,500 of them are not going to have the help they need. I have to tell you, we are underwhelmed, and it's not just us here on this side of the House who are underwhelmed; the people out there on the street are underwhelmed too. Huda Abuzeid, a manager at Community MicroSkills Development Centre, probably said it

best. He said that your standardized rules won't necessarily speed up the credential process or how foreign education is reviewed.

Quite frankly, we are disappointed; we are underwhelmed. After three years, we expected more.

### SPECIAL EDUCATION

**Mr. Michael Prue (Beaches–East York):** As for the Minister of Education, I have to tell you, today is a day of underwhelming announcements. There are over 40,000 students on the waiting lists for special education services in Ontario. In 2000, there were only 29,000. They go up each and every year; there are more and more special-needs students looking for service. Those kids are looking for action, and what do we have from this government? We have an "announce and defer" policy: Announce it today and defer it until next year, 2007, or 2008 or 2010 or whenever there might be some money. "Announce and defer" is what we're getting. We're getting it at every turn.

Let's consider autism. Three years ago, Dalton McGuinty promised parents of autistic children that the government would fund IBI treatment for children over the age of six. They broke that promise. Then they promised that IBI and ABA would be available in the schools. Now they're breaking that promise too. Instead of meeting the needs of autistic children, today's announced plans talk about studying the problem more.

Minister, we already know what the problem is. The parents know what the problem is. Even Dalton McGuinty three years ago knew what the problem was. And today it's just another announcement. In fact, that's all that's happening: vague promises, ethereal pronouncements, commitments to study, but nothing that will actually help the kids with special needs.

Boards across the province are taking money and have continued to take money from other programs to pay for special education. We are very concerned about the capping of funding and we are calling for sustainable funding for the 40,000 students who are on the waiting lists. This is up 35% in just six years. The problem is with the funding formula. We've said it before, and you in opposition said it was the funding formula that is to blame. You have to fix that. Dalton McGuinty promised to fix the funding formula and to provide Ontario students with the funding they need. If you really want to make an announcement, do something about that.

### ORAL QUESTIONS

#### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds–Grenville):** My question is for the Minister of Community Safety. Minister, in today's Toronto Star there's an alarming report that calls into question the safety of OPP officers



policing the Caledonia land occupation. The Ontario Provincial Police Association says that public image is being placed ahead of officer safety and law and order. Can you tell us if officer safety is being put at risk at Caledonia, and, if yes, what are you doing about it?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** The member from Leeds–Grenville, of anyone in this House, should know that I have no responsibility for directing the OPP as to what they do and how they do it.

I have utmost confidence in OPP Commissioner Gwen Boniface. She is internationally recognized as a top police officer. I have confidence in the senior management of the OPP. They make decisions based on their need to provide the citizens of Ontario with the safest police force that they can have.

**Mr. Runciman:** The Star report indicates that so far, 100 days into the longest occupation in Canadian history, 13 officers have been injured. It also states that officers are not being allowed to wear appropriate safety gear, for optical reasons. These are the sons and daughters, husbands and wives, moms and dads who don't know if they'll be coming home unharmed because they're not in proper uniform.

One of your responsibilities as top cop is to stand up for front-line officer safety. Earlier this week, you blamed OPP officers for making what you described as a wrong turn that resulted in them being assaulted and run off occupied property. Minister, when are you going to put political imagery aside, do your job, stand up for officer safety and insist that front-line officers at Caledonia be equipped with the appropriate safety gear?

**Hon. Mr. Kwinter:** Just to correct the record, I did not blame the OPP officers for making a wrong turn; I just stated that they did. I wasn't apportioning any blame to them; I was just stating the facts.

The other situation is that any equipment that is required, any dress that is required, any operational issues that are required are the sole responsibility of the OPP. If there are any concerns that people have, particularly the president of the OPPA—he knows the procedure; he knows that he should be contacting the commissioner. As a matter of fact, I understand he is planning to do that as we speak.

This is a situation where when you talk about political posturing, we have a situation where the Leader of the Opposition was in Caledonia, bragging about how he's been there several times, and he has not once talked to the OPP. How does he know what's going on there when he's never talked to them?

**Mr. Runciman:** I wonder how many times the Minister of Community Safety has been to Caledonia. Zero.

We are now beginning to see public concern among police officers forced to work in the politically correct world of Dalton McGuinty. Political optics trump front-line officer safety: Don't do or wear anything that could potentially damage the image of the Liberal government.

Minister, knowing you as I do, I'm sure you are personally concerned about the safety situation: 13 officers

injured to date. I ask you to override the political manipulators in Mr. McGuinty's office and insist that officers at Caledonia can wear the appropriate safety equipment. These officers and their families deserve to know that their safety, not optics, is your government's first priority.

**Hon. Mr. Kwinter:** I hold a challenge out to the member from Leeds–Grenville: If you can prove to me that anybody—anybody in my ministry, anybody in this government—has in any way directed the OPP to do anything, then we can discuss your concerns. I would suggest to you that you have a responsibility to correct the record, to suggest that we in fact are interfering with the operation of the OPP.

**The Speaker (Hon. Michael A. Brown):** New question.

**Mr. Ted Chudleigh (Halton):** My question is to the minister of native affairs. This week, Dalton McGuinty referred to the Caledonia standoff as being one "without incident," this after 13 police officers have been injured; tire fires have been seen for miles; there was an electricity blackout involving more than 9,000 people and businesses caused by sabotage of a transformer station; there were brawls between protesters and other Caledonians; a security guard's car was burnt to the ground; paved Ontario roads were being dug up by heavy machinery; two OPP officers were reportedly held by protesters for entering a no-go zone, and on and on. Clearly, Minister, Mr. McGuinty is out of touch with what is going on in Caledonia. If not, why would he have said such a thing?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I was in the House when the Premier gave that response, and I know exactly what the Premier was responding to. Basically, your party, the official opposition, was asking questions that were suggesting there should be stronger action being brought to bear on this situation rather than the approach that we have taken of negotiation. What the Premier was saying was, unlike some of the incidents in the past where there have been deaths—there was a death at Oka and there was a death, as we know, at Ipperwash. What the Premier was stating was that we did not have an incident of loss of life like that here, and that it's because of the cool manner we've taken and proceeded with in trying to resolve this issue.

1450

**Mr. Chudleigh:** I beg to differ with you. Caledonia has undergone more than 100 days of hardship, with no solution in sight. Businesses have suffered. People have been hurt. The community is torn in half. Youth sports are now being cancelled or boycotted. For Mr. McGuinty to describe this standoff as one "without incident" is at best insensitive and insulting to the injured OPP officers and the entire community of the Caledonia area. The Premier has trivialized this standoff from the beginning, and his lack of leadership is inexcusable.



Minister, will you, on behalf of your government, apologize for the Premier's remarks, his insensitive remarks, of this week?

**Hon. Mr. Ramsay:** It appears we're going to be here all afternoon, I suppose, debating semantics, and you can do that if you wish.

What I want to say to you is that Premier McGuinty has put all the resources of the Ontario government behind resolving this issue, and that's from day one. We've been doing that and working with the people of Caledonia, and you know the help that we've brought to the community: the \$500,000 that the Minister of Economic Development and Trade has brought to the community; the work we've been doing with the Six Nations community. You know it's a complex and difficult issue. Today, the long-term table, with Jane Stewart and Barbara McDougall, are talking as we speak today, and we're working towards a resolution.

**Mr. Chudleigh:** Dalton McGuinty has been missing in action when it comes to the standoff in Caledonia. All we have heard is desperate spin about instructing police officers, how motions passed in this Legislature are nothing but mischievous and how this situation is without incident or physical harm.

Minister, your Premier's irresponsible and inexcusable spin job exemplifies his inability to show real leadership on this particular issue. You and your Premier need to tune in to what is really going on down there, and you can start by retracting and apologizing for Dalton McGuinty's insensitive remarks about the standoff being without incident. It is not even close to being accurate, and the record should be corrected here in the House today. Will you do that, Minister? Will you apologize and confirm that the Premier's comments were inaccurate and wrong?

**Hon. Mr. Ramsay:** On many occasions in this House in response to questions, all of us on the government side have stated how saddened we were by the incredible disruptions to people's lives that have happened down in the Caledonia area. It has affected the community, it has affected businesses, and we have tried to support and respond to those concerns.

I would say to you, in talking to Jane Stewart this morning before she went into negotiations, that we are confident that we have a good engagement with the Six Nations leadership. We're going to have some good, productive discussions today, and our goal and our aim here are to solve this situation for the betterment of the community at large in Caledonia and the people of Six Nations.

#### EMPLOYMENT

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. There is a manufacturing jobs crisis in Ontario. Since June 2004, under the McGuinty government, Ontario has lost 87,000 good-paying manufacturing jobs and over 4,000 jobs in the forest sector alone, and while these thousands of workers

have lost their jobs, the McGuinty government has done next to nothing. So I've introduced legislation to create a new job protection commissioner to help at-risk companies reposition themselves when faced with bankruptcy or other economic difficulties.

My question is this: Since you've shown no leadership on this issue yourselves, will you support the idea of a jobs protection commissioner for Ontario?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** To the Minister of Finance.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I'd just say to my friend that, in listening to his question, I see that he has descended even further into the dungeon of doom. I want to tell him—

*Interjections.*

**Hon. Mr. Sorbara:** Yes, I want to tell him that the Ontario economy continues to outperform. The Ontario economy, over the course of the past years, has created over 250,000 jobs, almost all of them high-paying, full-time jobs. Yes, this government has taken a lead role in strengthening the auto sector of the economy, the forestry sector of the economy, the mining sector of the economy, the entertainment sector of the economy, the construction and development sector of the economy, the high-tech sector of the economy and, recently, with the appointment of a Minister for Small Business and Entrepreneurship, the small business sector of the economy. This economy is performing very well indeed.

**Mr. Hampton:** I invite the Minister of Finance to go to any community in northern Ontario, for example, and try to make that speech. You'd be run out of town, and you'd be run out of town very quickly. Try making that speech in Hamilton where workers are losing their jobs, or try making that speech in Kitchener-Waterloo, where over 1,000 workers are losing their jobs.

Here is the reality: Over 87,000 manufacturing workers in this province have lost their jobs in the last year, and about the only thing the McGuinty government has done is send out the occasional letter saying, "Sorry. Too bad." That is not good enough.

A jobs protection commissioner has succeeded in other provinces. It has succeeded in helping to reposition businesses that are in trouble. It has helped to sustain jobs. Will you support an office of the jobs protection commissioner here in Ontario, yes or no?

**Hon. Mr. Sorbara:** My friend the leader of the third party talks about northern Ontario, where this government has invested more than \$900 million to strengthen the forestry industry. He talks about Hamilton, where this government invested \$150 million to ensure that we would have a stronger, more vibrant Stelco. The minister talks about Kitchener, where we have created thousands of new jobs—and in Woodstock, under the leadership of my friend the Minister of Economic Development and Trade, the first new greenfield auto plant in this province in the last 15 years.

I want to tell my friend that this government has a very strong labour adjustment program. This government



takes very seriously the issue of job loss. This government recently signed a labour market development agreement with the federal government, under the leadership of my friend the Minister of Training, Colleges and Universities, that ensures that we are going to be able to respond where there may be job losses.

**Mr. Hampton:** Minister, you talk about \$900 million in the forest sector of northern Ontario. Yes, you've made about that many announcements, but go to any mill, any community, and ask them if what you've announced is in any way worth accessing and they'll tell you, "No, it isn't." That's why mills are closing. That's why workers are being put out of work.

You talk about the auto sector. Thousands have lost their jobs in Oshawa. People are losing their jobs in Oakville. People are losing their jobs in St. Catharines. Thousands more are losing their jobs in the auto parts sector.

What you and the Premier are promising is, "Well, there may be some jobs in 2008-09." People fell for that from Dalton McGuinty before—promising something before the election, and it doesn't happen after the election.

My point is this: You can do something to help reposition and sustain businesses, factories and plants that are in trouble. It's called a jobs protection commissioner. Will you support the idea or not?

**Hon. Mr. Sorbara:** The unfortunate reality of the leader of the third party is that he doesn't do his homework. The fact is that his legislation today is modelled on legislation that once existed in British Columbia. But we contacted British Columbia and we found out that the Job Protection Commissioner has been obsolete since 2002, and the Job Protection Act was repealed in 1997.

I want to say to my friend that the greatest threat to jobs in Ontario is the possibility, remote as it is, that some day, somehow, the New Democratic Party could return to power, and we're going to make sure that that never happens.

**The Speaker (Hon. Michael A. Brown):** New question, the leader of the third party.

**Mr. Hampton:** To the Minister of Finance: Yes, it is true. The newly elected Liberal government in British Columbia put an end to the Job Protection Commissioner's office, after it acknowledged that 75,000 jobs had been repositioned or sustained by the Office of the Job Protection Commissioner.

But I want to ask you about a worker like Donna Shipstone from Hamilton, who will lose her job on June 23 at Rheem Canada in Hamilton. Yet it is very clear that this is not an economic closure; this is a large transnational corporation that says, "Do you know what? We can make a greater profit by shutting down our operations in Hamilton."

The B.F. Goodrich situation is not a case where the company is not making money. This, again, is a continental consolidation where they say, "Do you know what? If we close the plant in Kitchener-Waterloo, we can make more money."

Allowing that to happen is not good enough. We need a jobs protection commissioner, because some of these jobs can be sustained. Will you support it or not?

**1500**

**Hon. Mr. Sorbara:** Like almost everything else we hear from the leader of the third party, it's just oh, so yesterday. I repeat to him that the model in British Columbia was abandoned almost 10 years ago. I want to say to him that job creation in Ontario, including manufacturing, where the pressures with a higher dollar and competition from markets like China and India is intense—even there we have had strong growth in productivity. We've had new jobs opening in the auto sector; we've had new jobs opening in mining. We are about to open the first diamond mine in the northern part of the province, and mining in this province is in a period of very rapid growth.

But I want to tell him, in response to the individual case he raised, that my colleague the Minister of Training, Colleges and Universities is now implementing an unprecedented system of labour market adjustment—

**The Speaker:** Thank you. Supplementary?

**Mr. Hampton:** Someone needs to inform the Minister of Finance that the diamond mine at Attawapiskat has been under development since about 1999, long before you were the government. Yet it is true that the McGuinty government will take credit for anything.

Let me give you an example of where the jobs protection commissioner could do a good job. We know that what is killing jobs in paper mills in northern Ontario is the wrong-headed McGuinty government policy of driving electricity rates through the roof. Every paper mill and pulp mill that's closing will tell you that is a big part of the problem. Do you know what a jobs commissioner could do? He could go to those communities, sit down with workers, with managers, with community leaders, and detail exactly how big that problem is and prescribe how we deal with it, how we sustain those jobs. Why would the McGuinty government be opposed to that, Minister?

**Hon. Mr. Sorbara:** Let me just remind my friend that whilst the NDP was in power, this province lost some 75,000 jobs—almost 1,300 jobs for every month they were in power. By comparison, over the course of the past two and a half years, the Ontario economy has created more than 250,000 new jobs, a record that I believe is very commendable.

But let's talk about adjustment, because adjustment is absolutely part of a vibrant economy. The Conservatives were in power for eight and a half years and were unable to sign a labour market development agreement with the federal government. We have now signed that agreement. We now have the kind of programs that can intervene on the day that job losses are announced so we can be assured that those employees can be retrained and moved to new, high-paying, permanent jobs.

**Mr. Hampton:** The Minister of Finance says that his friend Bob Rae made some wrong-headed decisions. I



agree. I couldn't agree more. He's a Liberal now, and you're welcome to him.

One of the things that a jobs protection commissioner could do would be to look at scenarios where jobs are at risk. For example, we know there is continuing risk in the steel sector, because the steel sector is another sector that is very vulnerable to high and increasing electricity rates. A jobs protection commissioner could do some of the work that Judge Farley did in terms of getting everybody at the table and working out a viable solution to sustain jobs, only you'd be doing it prospectively, not retrospectively, not after the bankruptcies already happen. Why would the McGuinty government be opposed to a jobs protection commissioner who would have the capability to bring people to the table and say, "I see the possibility of a problem here. Here's what we need to do to sustain jobs"?

**Hon. Mr. Sorbara:** I should, by way of response, Mr. Speaker, tell you that my friend Bob Rae's problem was that he was saddled with a political party that without doubt has had its head in the sand for the past 12 years. Fortunately, he no longer has to carry that burden.

I want to tell my friend about the levels of employment in the construction and development industry, where electricians, plumbers and pipefitters have had virtually full employment over the course of the past two and a half years, and in the entertainment sector, where intervention by this government has created a new generation of life in film in the greater Toronto area. We are becoming a leader in the entertainment cluster in this province.

I want to finish by telling him of the investments we have made through the new Ministry of Research and Innovation in high-tech that will put Ontario as one of the North American—

**The Speaker:** Thank you.

#### NATIVE LAND DISPUTE

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. Minister, as you know, the general headquarters of the OPP is located in my riding of Simcoe North in the city of Orillia. We're very proud of their strong presence and community involvement. I speak to officers virtually every day, and lately the discussion is about Caledonia. Officers have told me that the officers at Caledonia feel like the meat in a sandwich. They are the sons and daughters, brothers and sisters, and mothers and fathers of Ontario families. These men and women put their lives on the line every day.

Minister, the president of the OPPA has criticized the government for the lack of support involving equipment and clothing used under normal procedures. The officers have been told not to wear riot gear and tactical uniforms when dealing with native protesters. In today's Toronto Star, Susan Clairmont's column, President Walsh of the OPPA made a statement on this very issue: "Due to the political pressures and optics involved with this, the OPP

seems to be bending their own rules while sacrificing officer safety."

**The Speaker (Hon. Michael A. Brown):** The question's been asked.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I assume there was a question that was contemplated in that statement. I'll try to anticipate what it is.

As I told the member from Leeds–Grenville, the OPP is directed by Commissioner Gwen Boniface and her command officers. They make the determinations as to what their officers will be doing. It is their responsibility. In conversations I've had with the commissioner over time, she has not in any way ever indicated that they lack resources, that they lack manpower. She has said they are equipped to deal with the situation as they find it. I have a great deal of confidence in the OPP. I have confidence in their leadership, and I have confidence in all the men and women who serve this province so ably.

**Mr. Dunlop:** Minister, it is clear that OPP officers' safety is in jeopardy because of political optics. Further in today's Toronto Star, President Walsh makes two more statements in reference to this issue: "It's okay to have an officer ... in tactical uniform at Wasaga Beach on a long weekend, but it's not okay in Caledonia." The second quote is, "But these officers were ordered not to wear them for optical purposes." Minister, do you agree with the statements made by OPP President Walsh?

**Hon. Mr. Kwinter:** I have no ability to disagree with him because this is an internal operational issue of the OPP. If Karl Walsh, the president of the OPPA, has a problem with the direction the OPP is taking, it's up to him as the president of the OPPA to direct his concerns to the commissioner. It is my understanding that in fact that is what he is doing. To suggest that I should get involved in an operational issue that is the responsibility of the OPP and the concern of the OPPA is just not true. That's not something I am entitled or enabled to do.

#### EMPLOYMENT

**Mr. Howard Hampton (Kenora–Rainy River):** To the Minister of Finance, who seems to be opposed to a jobs protection commissioner in Ontario: I also introduced amendments to the Employment Standards Act that would ensure there is more time to look at all possible options before a factory or a plant closes, and more time and opportunity to look at sustaining good-paying jobs. In British Columbia, the jobs protection commissioner sustained and repositioned 75,000 jobs. The Stelco experience here in Ontario demonstrated that where there is time, you can create opportunity and can sustain and reposition jobs. Your government has stood around while manufacturing jobs have been lost. Will you adopt my amendments to the Employment Standards Act to give us more time to look at options of sustaining and repositioning jobs?



1510

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** To the Minister of Training, Colleges and Universities.

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** As the member would know, we have right now the adjustment advisory process, which gets in on the very day we're advised either of a closure or a layoff and works with the union if they're there, the community and the company to build an advisory process that's suited to the community so we can provide job counselling services and we can provide direction to other job training services such as the Job Connect service, which is in 82 communities across the province. Through the labour market development process, having finally signed that agreement, we are working to build an even stronger ability to provide the type of adjustment that industry throughout history has had to undergo, given pressures from within and from without a jurisdiction.

There is no pretending away the economic winds, but we have done very well in this province in already positioning ourselves and we'll do increasingly well in the future with the labour market development process.

**Mr. Hampton:** The only people who are doing pretending here is the McGuinty government, pretending that it has no responsibility to help sustain and reposition good-paying manufacturing jobs. What the Stelco experience showed us and what they learned in British Columbia is that where you have more time to look at the options, where you have more time to bring all of the interests together, you have a greater opportunity to reposition mills, reposition factories and sustain jobs. The amendments that I'm proposing to the Employment Standards Act would do exactly that.

Minister, Ontario has lost 8% of its manufacturing jobs in a little over the last year. Why would you be opposed to amendments that would put in place a process much like Judge Farley conducted in terms of Stelco in Hamilton? Why would you be opposed to mechanisms that would buy us time to help sustain jobs and sustain communities?

**Hon. Mr. Bentley:** Of course, if we left it to the NDP, most of the businesses in the province might well be in receivership, but that's not where we want to go.

What type of investment have we made? The Toyota investment is all about repositioning the economy. The Beacon-GM \$2.6-billion investment was repositioning. The Ford investment was about repositioning. The CAMI investment: repositioning. When we invest in the industries in this province, as outlined by the Minister of Finance, that's repositioning. Allied with that, you build a stronger retraining system that provides everything from academic upgrading to apprenticeship retraining to investment in training, colleges and universities and building a bigger structure.

The honourable leader of the third party wants a single person to have a magic wand to pretend away the economic realities of the world. We're determined to provide

real training for the people who need it, on the ground. No more pretend; no more 1990-95 disaster.

#### MORE TO DISCOVER FUN PASS

**Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Culture. Minister, the summer months are a time when school children are out of their classrooms soaking up the weather, going to camp, spending time with family, playing, reading and all the other activities that make summer so special. I know that a number of government agencies are open across the province year-round. In fact, the people in my riding of Ancaster-Dundas-Flamborough-Aldershot routinely enjoy tours and special events that take place at the Wentworth Heritage Village or Bronte Creek Provincial Park, amongst others. Minister, I wonder if you could outline for the assembly how our government is encouraging visitors to come and enjoy the many experiences provided by our agencies across the province.

**Hon. Caroline Di Cocco (Minister of Culture):** Earlier this week, Minister Bradley and I were at the Ontario Science Centre to announce the More to Discover fun passes. The fun passes make provincial attractions more affordable for families and they also help parents plan their summer vacations and encourage them to share visits with families and friends near home and elsewhere in the province. As well, the Royal Botanical Gardens, the Ontario Science Centre, the Royal Ontario Museum, Science North, Uncle Tom's Cabin and the Art Gallery of Ontario are some of the agencies that are included in these fun passes. Thanks to the fun pass, nearly 1.5 million elementary school students will be exposed to historical, natural, scientific, artistic and recreational experiences. Many of the attractions offer programs that complement the provincial curriculum.

**Mr. McMeekin:** You mentioned that the pass can be used not only at the 15 provincial attractions but for many provincial parks as well. In addition to the Royal Botanical Gardens, widely considered the crown jewel of the area around Hamilton, children are also able to experience many events that happen at Bronte Creek Provincial Park and elsewhere.

I know that this announcement has been met with a very positive response; we saw that in the House just a moment ago. Children and their parents across Ontario are eager to get out and see all that Ontario has to offer during the summer months.

Minister, I have a specific question, though: Who is eligible for this fun pass? A constituent of mine thought it was only available to elementary school students. Is its availability broader than that?

**Hon. Caroline Di Cocco:** To the Minister of Tourism.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I want to make it perfectly clear that all elementary school children across the province of Ontario are eligible for a fun pass. This includes children who



attend all public schools, all separate schools and private religious schools as well as any home-schooled child in the province. Over the next few weeks, passes will be distributed to elementary school children through their school boards. As well, any children who are home-schooled are eligible to get the pass by contacting the Ministry of Tourism.

Just as school gets out, our passes kick in. Our government wants to ensure that every child will be able to enjoy the benefits of the fun pass and experience the great things that Ontario has to offer in the summer. As well, we expect that the tourism business will benefit from the additional travel and visitation the fun pass will generate throughout the entire summer.

### WASTE DIVERSION

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** My question is to the Minister of the Environment. Recently, the US company that has been accepting sludge from Toronto said they won't do it anymore and Toronto will need to find another location to take their sludge by August 1 this year. The city of Toronto has put on a brave face, but nobody is lining up to take this sludge. This is only a sample of the problems Ontario could face if the US border were to close to garbage.

Minister, what is your amazing plan, and what will you do when Toronto comes to you on July 31 and tells you they don't have a place for their sludge?

**Hon. Laurel C. Broten (Minister of the Environment):** I know that I've answered this question before, and I'll certainly repeat that I know the city of Toronto is working diligently to locate a location to put their waste. That is their responsibility. It would be highly inappropriate for me as Minister of the Environment to be involved in their private negotiations as they undertake that examination. But I have every confidence that the city of Toronto—Shelley Carroll and Mayor Miller—will find a solution to this difficult issue for them, as it is their responsibility to do.

**Ms. Scott:** Clearly, the city of Toronto is worried. Councillor Michael Del Grande has openly admitted, "We have no plan."

When he was in opposition, leader Dalton McGuinty said it is unreasonable and irresponsible to create a site for Toronto's waste unless there is consent by the whole community. Minister, do you stand by that statement? Are you going to ship sludge to some unsuspecting community with no notice whatsoever?

**Hon. Ms. Broten:** I'd certainly like to provide my colleague and the opposition with some more information. It has been reported that the mayor says Republic, their current hauler, has an obligation to find Toronto another landfill for its sludge. Again, that's a contractual matter between the city and Republic. We're not privy to those details, and neither should we be. But we certainly expect that both parties will resolve this matter very expediently.

### SOFTWOOD LUMBER

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Acting Premier. You will know that in the forest industry in northern Ontario, we've lost over 4,000 direct jobs as a result of a whole bunch of different issues that are affecting the forest industry, most of which have to do with your very own policies. Added to this is this very bad deal that was negotiated by Stephen Harper and the Ontario government, with Mr. McGuinty, on the softwood lumber deal. We find now that yet another person is offside, this time Gordon Campbell, the Premier of British Columbia, who says, "BC will not settle for a bad deal ... this is a deal that is going to be" either "good for British Columbia ... or it's not going to be a deal" at all.

1520

Are you prepared to finally admit that this deal that's been negotiated by Stephen Harper and Dalton McGuinty is a deal that is not good for the forest industry of Ontario?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** To the Minister of Natural Resources.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** On a daily basis, I say to the member, I continue to meet with heads of our major sawmilling companies. Yesterday, it was Bowater and Weyerhaeuser, Tembec the day before. I continue to keep engaged with them. In fact, right after question period, I have a meeting with our chief negotiator and our technical team on getting an update on where the framework agreement is. We want the best deal for Ontario also, and I'm also going to be in touch soon with my colleagues across the country. It seems to me, we obviously want a good deal, and we need to take the time to get a good deal, and work with our companies and work with our sister provinces, so we're taking our time. We're going to make sure we get it right and get the best deal possible for Ontario companies.

**Mr. Bisson:** What I seem to be hearing is finally a bit of an admission on the part of the government that in fact the deal that was negotiated isn't as good as it was made out to be. A number of us were quick on the draw in realizing fairly quickly that leaving \$1 billion on the table with the Americans so they can use those dollars to act against you in the future, leaving tariffs on the table and sliding penalties to the industry was a bad one. So I take it from your answer that you're finally admitting that this deal is not a good one and that you're to try to re-negotiate a deal that will be to the benefit of Ontario. Are you admitting this was a bad deal in the first place, and are you prepared to change it?

**Hon. Mr. Ramsay:** No, we're not admitting that it was a bad deal. What we're saying is that it was a framework agreement. Of course, as you know, in many negotiations, the devil is in the details, so we have the opportunity to make sure we get the details correct. That's what we're doing. We're doing that in conjunction with other provinces, with the industry. We think that's very important, obviously, to do that, to get it right. We



want to take the time to get it right, and we think, under this basic framework agreement, we can get it right.

### HUMAN RIGHTS SYSTEM

**Ms. Deborah Matthews (London North Centre):** My question is for the Attorney General. Minister, I have been hearing from individuals and groups in the social justice community who are asking questions about Bill 107, which, of course, proposes to improve Ontario's human rights system. If passed, this bill would ensure that human rights complainants will have adequate support when they appear before the Human Rights Tribunal. But groups are now asking if we can do even more to ensure that. Minister, what steps are you taking to answer their concerns?

**Hon. Michael Bryant (Attorney General):** I thank the member for London North Centre. I know she, and many members of this House, have taken the opportunity to meet with Ontarians about this very important bill. This is, after all, the first time in more than 40 years that this House has had an opportunity to engage in substantial changes to the Human Rights Code, so there have been a number of questions about the bill, and so there should be. After a lengthy and productive second reading debate, the House has voted in favour, in principle, of the bill. I know that the government has consulted and will continue to consult with Ontarians. I know that MPPs in this House have consulted and will continue to consult with Ontarians on this bill. So now it goes to the standing committee on justice and social policy, where open, full public hearings will take place. Of course, at that committee we'll seek input and the committee will seek input about the bill and any potential amendments that could be proposed.

**Ms. Matthews:** Will the Attorney General take steps to ensure that legal supports for human rights complainants are further entrenched in the proposed law that would improve our outdated human rights system?

**Hon. Mr. Bryant:** The human rights legal support centre that we are establishing is the first of its kind in the country. We have committed to providing full legal supports to all Ontarians who turn to their human rights system, at the same time as the Human Rights Commission goes forth and, on behalf of all Ontarians, addresses systemic issues, both on behalf of the commission and before the tribunal.

Section 46 of the bill does make reference and entrenches the first-ever human rights legal support centre, but the McGuinty government recognizes the need for clarity and endeavours to bring even greater clarity to this bill, long overdue, and this reform, long overdue. So to answer the question directly, we do intend proposing amendments at the appropriate time to section 46 in order to bring even greater clarity, not only to section 46 but to the entire human rights process, and we look forward to hearing from all Ontarians and all members of the committee on that front.

### NATURAL RESOURCES PROGRAM FUNDING

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a question for the Minister of Natural Resources. Minister, I understand that you are now reconsidering your decision to cut \$500,000 from the community fish and wildlife involvement program. There are many worthwhile programs that are supported with this funding, including programs like the Barrie Bassmasters creating fish habitat, the Toronto region remedial action plan protecting and rehabilitating fish and wildlife habitat, the Oak Ridges moraine, Niagara Escarpment and Rouge Park, and the Rice Lake walleye recruitment study.

Minister, these programs are one of the best investments you can make. For every dollar you spend, 10 times that investment is made by community partners and volunteers. This is grassroots conservation at its best, where people of all ages can make a difference in their own backyards. Conservationists and community groups need to know that you will commit to continued full funding of the CFWIP. Will you make that commitment today?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** In response to the member, I would say to him that I do commit full funding to that program today. He's described it very well. It is a tremendous partnership we have with outdoor clubs that help provide us with the restocking program that is very important to anglers and to the habitat and the fisheries of Ontario. We think it's money well spent, an investment, and what it does is really ensure that those volunteers are connected to the ministry and to the environment we both want to protect.

**Mr. Miller:** Thank you, Minister. I'm pleased you recognize the work of those 35,000 volunteers, and I'm pleased you've committed to full funding, but I would also like to ask you about cuts to Ontario's provincial parks. I have a press release dated June 2. It says the McGuinty government is slashing 19% from the summer staff funding. These cuts will compromise nature education, park safety and recreational opportunities, as well as the cleanliness of bathrooms and the maintenance of trails and garbage pickup. First of all, Minister, can you confirm that this 19% cut decision has been made, and secondly, if that is in fact true, how are you going to maintain park services and safety with 19% fewer park staff?

**Hon. Mr. Ramsay:** What I'll confirm is that it's a cut of 8%, and we believe that with that cut we are able to maintain the viability of the parks. In fact, one of the reasons to do this was to make sure that access to the tremendous provincial park system of this province is fully accessible for all people in Ontario. As many members have stated in this House, the provincial park system allows people of all means access to the wonderful biodiversity we have in this province. It offers a wide range of experience out in the wilderness, from canoe camping to camping with your car and everything



in between. I would say to the members of the House that if you haven't experienced the wolf howl experience in Algonquin Park, you should do that. Satellite pictures will show three miles of headlamps on Highway 60 going through that, people who entertain that. That program is still going to be on. It's a great experience. So come out to the provincial parks this summer.

### YOUTH SERVICES

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Children and Youth Services. Supporters of the Families and Schools Together program are here in the gallery today from across Ontario. They run a province-wide program that's proven to reduce youth violence, substance abuse, social isolation and problems at school. Minister, for a year and a half, you and your Liberal predecessor have avoided meeting with them while you allowed their funding to run out. I hear you talk many times about your concern for youth and families. Why aren't you continuing to fund this incredible and cost-effective program that has been so successful in solving these problems and that brings families and schools together?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'm happy to address the question from the member for Hamilton East. As a matter of fact, I received my first introduction to their programs from my colleague Deb Matthews, the member for London North Centre. My colleague was very complimentary, as has been another colleague, the member from Sarnia, about these programs. That was in fact the first time I had had the opportunity to learn about what this organization is doing.

1530

I noticed from their press conference this morning that they indicated that I've refused to meet them. I'm very sorry they have that impression, because I have not refused to meet them. I look forward to meeting with them.

**Ms. Horwath:** Minister, compliments don't fund programs; financial commitments do. Thousands of families and youth are helped by these programs and they see significant improvements in the lives of these families where they're operating. The program has been delivered at a very low cost, with a very, very high success rate. The child advocate for Ontario supports this program, chiefs of police support it and schools, families and agencies all support this program. Why don't you support it? Will you make that commitment right now to meet with Family Service Ontario and work this out so that funding continues to flow and they don't have to continue to reduce? They're down to 44 programs from well over 50. They need your help, Minister, and they need it today.

**Hon. Mrs. Chambers:** I'm not really sure what language to use in answering this question, but let me just say again that I would be happy to meet with this organization. I look forward to meeting with them.

### ASSISTANCE TO DISABLED STUDENTS

**Mr. David Zimmer (Willowdale):** My question is for the Minister of Training, Colleges and Universities. Minister, 70% of future jobs in Canada will require some sort of post-secondary education. Education training beyond high school is essential to succeeding in today's competitive labour market. With the help of our Reaching Higher plan, Ontario's colleges and universities are doing a superb job of training and educating our students to meet these requirements. I'm particularly proud of the record of Seneca College in my riding of Willowdale.

However, 5% of students identify themselves as having disabilities. These students may require extra assistance to overcome barriers in obtaining their education goals. Minister, what are we doing as a government to support students with disabilities at Ontario's colleges, like Seneca?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** The member for Willowdale rightly identifies a very important issue. You know, we'll never reach our potential as a province unless everyone within it is able to reach their potential. That's why on May 29 the McGuinty government made an announcement that we're investing \$28.2 million this year to support persons with disabilities in their access to post-secondary education and their success in post-secondary education. This included an additional \$2.6 million from one of the access committee funds that was set up through the McGuinty government's Reaching Higher plan.

Seneca in particular received \$1 million in base funding and an access enhancement of \$300,000. And what are they doing? It provides additional counselling, personal, social, academic and career exploration, vocational assessments, peer tutoring, workshops on study skills, extended tests, exam time supervision, recorders and special audiovisual and other devices to help persons with disabilities actually succeed in their studies as they go on. Seneca is doing—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary.

**Mr. Zimmer:** Thank you, Minister. Access to financial and technical learning resources that students with disabilities need is very important. Some students have encountered physical barriers to learning on their campuses due to the deterioration of facilities. Aging classrooms and labs create special challenges to learning. Students at Seneca College and other colleges in Ontario have found themselves trying to learn in these conditions because of the previous government's lack of investment in our post-secondary education system.

Minister, what are we doing to improve the learning environment for all students at Seneca and other colleges?

**Hon. Mr. Bentley:** Once again the honourable member has identified a very important issue. Just this past April, we announced \$50 million to Ontario's colleges and universities so they could make the types of renovations that have long been needed.



In Seneca's case, this meant that they got \$1.1 million that they used to renovate some classrooms; repair walkways, making them more accessible, in some cases, like the honourable member outlines; and upgrade the fire system. Under another program, the college equipment renewal fund, they received more than \$800,000 to provide some special equipment that they use in their underwater skills program, in a computer engineering technology program, in labs for their precision skills programs and in their centre for financial services.

It's all part of our determination to ensure that student success includes an improved quality of education. I have to commend the good people at Seneca for delivering high-quality programs to so many students.

### ONTARIO ECONOMY

**Mr. Ted Chudleigh (Halton):** It's with a heavy heart and a great deal of sadness that I rise in the House today to ask the Minister of Small Business and Entrepreneurship a question.

A Fraser Institute report has determined where Ontario stands among the other nine provinces with respect to some key economic indicators. It has found that in corporate income tax, we stand fifth; in fiscal prudence, we stand fifth; in personal income tax, we stand sixth; in corporate capital tax, we stand fifth; and in regulatory burden, we stand fifth. As much as this comes as a disappointment to Ontario, it should be no surprise. Your tax-and-spend policies are weighing down the province as other jurisdictions pass us by. It's predicted that Manitoba will soon be a more favourable climate for small business than Ontario.

With Ontario's economic prospects dropping like a stone under your watch, will you now admit that your tax-and-spend policies and the deficits you manufacture are not working for Ontario's small business?

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** Let me say that small businesses are the engine of our economy and are contributing enormously to Ontario's economy. We have about 340,000 businesses in this province, and 99% of them have less than 500 employees. These are the employers who actually create 60% of all new jobs in this province. We are very proud of the program we have been able to put in place to assist not only them but anybody who wants to open new businesses in this province, and our record basically shows that.

**Mr. Chudleigh:** You're right, Minister, they are the backbone of this country. But they're going south and they're going west to Manitoba. They're even going east to Newfoundland. If you were listening to the statement I made a short time ago, you would have heard me citing the C.D. Howe Institute report along the same lines: Ontario is becoming a less attractive place to invest. Ontario used to be the leader, the economic engine of Canada. It seems that Dalton McGuinty's Ontario is found more in the middle of the pack.

Minister, when will you ease the pain of business in Ontario and create the kind of investment climate in which small business in Ontario can prosper? When will this happen?

**Hon. Mr. Takhar:** Let me start by saying that we've got a very competitive tax system in this province, and let me also tell you that 800 firms in this province have been growing at the rate of 50% plus for the last three years. We are the home of 45% of the top 500 corporate head offices in Canada, and we have created over 200,000 net jobs in the last three years. We are very proud of our record, and I think we provide the right environment for new businesses to come into this province and succeed.

### ADDICTION SERVICES

**Mr. Gilles Bisson (Timmins-James Bay):** My question is for the Minister of Natural Resources. Minister, you would know that a few weeks ago I raised the issue with you privately in regard to north corridor addiction services. This is the agency that provides employee assistance services to those employees who are affected by layoffs in the forestry industry. You will know that this particular agency is in a position right now where they're going to have to start laying off staff because their funding is dependent on the number of employees who are employed within the sector. I would like to know from you, as well as for the people of north addiction services, where we're at in trying to find a solution so that north corridor addiction services can keep their doors open and provide services to people in the industry at this very time when we're undergoing probably the worst time in the industry in the history of Ontario.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I appreciate the question from the member, and I appreciate the heads-up that he gave me. I have to assure the member that we're very concerned about the outcome of the losses in the forest industry to the people of northern Ontario and across this province. I want to assure him that this government is going to do everything it can to not only help the industry directly but the workers directly. There are many agencies out there that offer assistance to people who find themselves displaced and also pick up various challenges that result in the social pressures of losing one's job and one's income and the inability to support their family. So I'll say to the member that we are working on this.

1540

**Mr. Bisson:** You know, Minister, that the clock is ticking. They're in a position now where they're going to start reducing services within the agency, and if they don't get a signal from you fairly quickly—and these are your constituents and mine, people from Cochrane, Hearst, Kapuskasing, Smooth Rock, people we both represent within our own individual ridings. If they don't get an indication from you soon, they're going to have to start figuring out how to shut down the agency, and that would be a crying shame.



You understand as well as I do that you need EAP services, especially in the climate we're in now. Workers are losing their jobs by the hundreds in our ridings, and they need to have support within the employment in order to deal with the issues that come from the uncertainty of not knowing whether you have a job or do not have a job.

So I'm going to ask you again: Specifically, what are you prepared to do and when are you going to do it?

**Hon. Mr. Ramsay:** Again, I'd just like to assure the member that I take his concern as being sincere. It's an important agency, and we are looking into it.

### WATER QUALITY

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** My question is to the Minister of the Environment. In my riding, there is a beautiful beach and park area known as Bluffer's Park. Many residents from the Scarborough community come to this park during the summer months and spend time to partake in various outdoor activities such as swimming. There are also barbecuing and other activities in that area.

Recent reports have surfaced that the beach area at Bluffer's Park might be closed for much of the summer because of the high concentration of E. coli that is being emitted from a nearby sewage treatment facility.

What initiative is your ministry taking to ensure that the beach at Bluffer's Park will stay open this summer?

**Hon. Laurel C. Broten (Minister of the Environment):** I want to thank the member for Scarborough Southwest for his advocacy on behalf of his constituents. I too have a riding on the shores of Lake Ontario, and very much appreciate our beautiful beaches in the city of Toronto and all of our beaches along the Great Lakes.

I think it's very important for your community to know that our government is absolutely committed to helping reduce the discharge of contaminants into the Great Lakes, and we're tackling that on a number of fronts. We have a Premier who started a Ministry of Public Infrastructure Renewal to be able to rebuild our infrastructure that had languished for so many years in this province. That will certainly help with the water quality in the Great Lakes.

My ministry has increased our sewage inspection protocol, and we've increased our inspection tools through provincial officers' orders. We will help municipalities implement the responsibilities they have to keep the beaches open.

**Mr. Berardinetti:** Madam Minister, as you know, E. coli is a very serious bacterium with potentially fatal and life-changing consequences. One need look no further than Walkerton to understand this.

Our government made a commitment during the previous election to ensure clean water from source to tap. In light of this commitment, what is the plan to ensure that E. coli and other hazardous materials are properly disposed of and not deposited into our lake water?

**Hon. Ms. Broten:** Certainly a big component of ensuring we have clean, safe drinking water in this province is our new Clean Water Act, which, if passed, will ensure source protection of our vital drinking water. So many of us get that drinking water out of Lake Ontario. We need good treatment. We need good training. We need all sorts of fronts. But, first and foremost, we need to ensure that we prevent contaminants from getting into our sources of drinking water in the first place.

So, together with our federal partners, we continue to improve the quality of the Great Lakes. The Clean Water Act allows me opportunity to set targets for the Great Lakes to reduce the impacts of pollutants. We look forward to seeing the Clean Water Act passed and the implementation of full source-to-tap protection of drinking water.

### PETITIONS

#### LONG-TERM CARE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This petition was brought to me by Roxanne Purdy on behalf of her mother, Jackie, as well as the rest of the family.

#### WORKPLACE HARASSMENT

**Ms. Andrea Horwath (Hamilton East):** This is a petition to the Legislative Assembly of Ontario. It reads:

"Whereas workplace harassment is linked to the murders of women in Ontario; and

"Whereas harassment needs to be defined as a violation of the Occupational Health and Safety Act so that



it is dealt with as quickly and seriously by employers as other health and safety issues; and

"Whereas employers should have a legal obligation to deal with harassment; and

"Whereas harassment poisons the workplace, takes many form—sexual and sexist, verbal, physical, intimidation and racist—and should not be tolerated; and

"Whereas harassment in any form harms a victim's physical and mental health, esteem and productivity, and contributes to trauma and stress on the job; and

"Whereas Bill 45 would make it the law to protect workers from workplace harassment by giving workers the right to refuse work after harassment has occurred, require an investigation of allegations of workplace-related harassment and oblige employers to take steps to prevent further occurrences of workplace-related harassment;

"Therefore we, the unsigned, petition the Legislative Assembly of Ontario to treat workplace harassment as a serious health and safety issue by passing MPP Andrea Horwath's Bill 45, which would bring workplace harassment under the scope of the Occupational Health and Safety Act."

**Mr. John O'Toole (Durham):** On a point of order, Mr. Speaker.

**The Acting Speaker (Mr. Joseph N. Tascona):** What's your point of order, Mr. O'Toole? You want to be recognized? Well, it's the member for York West.

**Mr. O'Toole:** That's inappropriate, Speaker. I'm rising on a point of order.

### COMMUNITY MEDIATION

**Mr. Mario Sergio (York West):** I have a petition addressed to the Ontario Legislative Assembly with respect to support of community mediation, which I'd like to read to the House.

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I do concur and I will affix my signature to it.

### ONTARIO SPCA

**Mr. Garfield Dunlop (Simcoe North):** This is to the Legislative Assembly of Ontario and it's to do with the Ontario Society for the Prevention of Cruelty to Animals.

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, is being forced due to budget constraints to close its doors; and

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, to our community include animal cruelty investigations; 24-hour emergency rescue of injured animals; acceptance of abandoned animals; acceptance of owned animals, where people can no longer care for their pets; adoption of animals; family violence assistance program, allowing women entering a shelter to temporarily house their pets with the Ontario SPCA; humane education to local schools and community groups; and

"Whereas none of these services are provided by any other agency in the county and the municipal dog pound is small and not able to accept cats or other small animals; and

"Whereas investigation services will fall to the Ontario Provincial Police and they do not have the resources or training to fulfill this role and they are already overworked; and

"Whereas the Northumberland and Quinte humane societies are also facing financial challenges and will not be able to accept the additional animals;

"Be it resolved that the Legislative Assembly of Ontario act now to help prevent the closure of this facility and others across Ontario by ensuring that the Ministry of Community Safety and Correctional Services immediately implement the recommendations made in the February 2005 report of Grant Thornton, which called for interim funding to facilitate the operations of the Ontario SPCA until a long-term strategy is developed for animal welfare in Ontario."

I'm very pleased to sign this as well, and to present it to the table.

1550

### LABOUR UNIONS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the rights of workers should always play an important role in the workplace;

"Whereas labour unions help promote and foster workers' rights and ensure that they get the best possible benefits when it comes to the work they do;

"Whereas the McGuinty government has always been a champion for the worker and continues to promote workers' rights through other means by increasing the minimum wage and amending the Employment Standards Act to allow for a more harmonious and just working environment for workers;

"We, the undersigned, support these efforts and encourage the McGuinty government to continue on the course of its revolutionary initiatives to enhance workers' rights and encourage the McGuinty government to make it easier for workers in other sectors of the economy to unionize."

I affix my signature to it, as I agree with this petition, and give it to page Evan who is here with me today.

### LONG-TERM CARE

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

As I am in agreement, I have affixed my signature, and give this to Madeleine.

**Mr. Mario Sergio (York West):** There are a number of petitions being circulated to members of the House and mine being similar to the former one, I'd like to read it:

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This petition has been addressed to the Legislative Assembly of Ontario, and I'll forward it on to the Clerk.

### SPEECH AND LANGUAGE SERVICES

**Mr. Ernie Hardeman (Oxford):** I have a petition signed by a great number of my constituents in the great riding of Oxford:

"To the Legislative Assembly of Ontario:

"Whereas over one million Ontarians of all ages suffer from communication disorders relating to speech, language and/or hearing; and

"Whereas there is a growing need for awareness of the profound developmental, economic and social consequences that communication disorders have on people and their families; and

"Whereas persons with communication problems require access to the professional services of audiologists and speech-language pathologists who provide treatments to improve and enhance quality of life; and

"Whereas effective treatment of communication disorders benefits all of society by allowing otherwise disadvantaged persons to achieve their academic and vocational potentials; and

"Whereas investments in treatments for communication disorders pay economic dividends in reduced reliance on other social services,

"We, the undersigned, in conjunction with the Ontario Association of Speech-Language Pathologists and Audiologists, call on the Legislative Assembly of Ontario to proclaim the month of May as Better Speech, Language and Hearing Month."

I affix my signature as I agree with the petition.

### RENT REGULATION

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition here that was given to me by a community activist, Sonny Sansone of Fir Valley Court. He's got all the signatures for this petition from his building. It's addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the McGuinty government is concerned about tenants in Ontario and wants to have a fair relationship between landlords and tenants; and

"Whereas the cost of living continues to rise, and income of many people, especially pensioners and low-income workers, remains comparatively low; and

"Whereas landlords currently have more rights than tenants, giving them the ability to raise rent fees as they wish, causing tenants to fear rent increases they can't afford;

"We, therefore, the undersigned, petition to cap rents in Ontario, giving more rights to tenants; and

"Further, we, the undersigned, petition the Legislative Assembly to pass into law the Residential Tenancies Act, Bill 109, as soon as possible."

I agree with this petition, affix my signature to it and give it to page Hartford, who is here with me today.



## LONG-TERM CARE

**Mr. Ernie Hardeman (Oxford):** I have another petition.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I affix my signature, and give it to Nolan to present to the table.

## HOME CARE

**Mr. Mario Sergio (York West):** I have another petition addressed to the Legislative Assembly of Ontario, which reads as follows:

"Whereas access to home care for seniors and persons with disabilities allows them greater independence within their own homes and the ability to limit the amount of time that they are forced to stay in hospitals and/or long-term-care facilities; and

"Whereas doctors, nurses and health care workers need to be recognized and supported for the outstanding work they do within their communities, which must translate into increased funding and resources for their efforts; and

"Whereas implementing the Caplan review will contribute to a more stringent set of guidelines for ensuring that home care and community support services are more effective and far-reaching;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the Liberal government's commitment to contribute \$117.8 million to improve home care and implement the Caplan review be supported by all members of the House."

I believe this to be a fair request and I will affix my signature to it.

## LONG-TERM CARE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

That's signed by long-term-care centres in my riding of Haliburton–Victoria–Brock.

1600

## BUSINESS OF THE HOUSE

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I'm rising pursuant to standing order 55, and I'd like to give the Legislature the business of the House for next week.

On Monday, June 12, in the afternoon, second reading of Bill 52, the Education Statute Law Amendment Act (Learning to Age 18); in the evening, third reading of Bill 56, the Emergency Management Statute Law Amendment Act.

On the afternoon of Tuesday, June 13, second reading of Bill 28, the Mandatory Blood Testing Act; in the evening, second reading of Bill 52, the Education Statute Law Amendment Act (Learning to Age 18).

On Wednesday, June 14, in the afternoon, second reading of Bill 65, the Mortgage Brokerages, Lenders and Administrators Act; in the evening, second reading of Bill 52, the Education Statute Law Amendment Act.

On Thursday, June 15, in the afternoon, third reading of Bill 102, the Transparent Drug System for Patients Act.

## ORDERS OF THE DAY

### STRONGER CITY OF TORONTO FOR A STRONGER ONTARIO ACT, 2006

#### LOI DE 2006 CRÉANT UN TORONTO PLUS FORT POUR UN ONTARIO PLUS FORT

Resuming the debate adjourned on June 6, 2006, on the motion for third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate? The Chair recognizes the member for Toronto–Danforth.

**Mr. Peter Tabuns (Toronto–Danforth):** Thanks, Mr. Speaker, and my thanks to—

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: Is there a quorum present?

**The Acting Speaker:** Is a quorum present?

**The Deputy Clerk (Ms. Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Deputy Clerk:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member from Toronto–Danforth.

**Mr. Tabuns:** I rise today to talk about Bill 53, the City of Toronto Act. This act has been the subject of some debate in this House over the last month. We had extensive committee hearings, and we're here today to continue third reading of this bill.

When you talk about the city of Toronto, first you have to think about the context within which the city of Toronto operates. We've seen huge changes around the world and huge changes here in Canada and Ontario since the Second World War as the world has urbanized. A world that a century ago was primarily rural, a world that a century ago was dominated by farming interests, is a world that has become radically different, a world that depends on the health of cities, on the dynamism of cities, on the inventiveness of cities for its sustainability.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** On a point of order, Mr. Speaker: I seek unanimous consent that official opposition questions next week be divided amongst the other two parties.

**The Acting Speaker:** The deputy House leader seeks unanimous consent that the—

**Hon. Mr. Caplan:** To divide official opposition questions next week amongst the other two parties.

**The Acting Speaker:** To divide official opposition questions among the two parties. Is there unanimous consent? Agreed.

The Chair recognizes the member for Toronto–Danforth.

**Mr. Tabuns:** Thank you.

*Interjections.*

**Mr. Tabuns:** I have the floor.

**The Acting Speaker:** The Chair recognizes the member for Toronto–Danforth. You've got the floor.

**Mr. Tabuns:** Thank you, Mr. Speaker. Maybe we can go back to some order, then.

*Interjections.*

**Mr. Tabuns:** I think it's going to take a moment for the House to settle.

**Ms. Kathleen O. Wynne (Don Valley West):** You have our undivided attention.

**Mr. Tabuns:** It isn't even a question of undivided; it's a question of the level of noise going to a low enough pitch where I can hear myself speak.

In any event, the reality is that when it comes to dealing with our cities, they are still treated as less than junior partners in this society. They are treated as creatures that cannot be trusted to govern their own matters, that cannot be trusted to look at their own economies, that need to be kept on a very short leash. The reality is that the city of Toronto has a population greater than that of just about every other province except the province of Quebec. It has four times the population of Manitoba. It's a city that has a huge impact on the economy of this country and a huge impact on the well-being of this province.

The city of Toronto is crucial to the long-term future of Ontario, but the reality is that the city of Toronto is hamstrung both in terms of legislation and in terms of finances. The legislation that has been brought before us deals to some extent with the administrative issues that are of concern to the city of Toronto. To the extent that the city of Toronto is not even able to deal with things like authorizing speed bumps, we are in a situation where the city is treated as a wayward child. Those matters to some extent are addressed in this legislation, but the opportunities that have been missed in this legislation are substantial, and I will take the opportunity today to address those.

But before I go into the substance of the bill itself, I want to talk about the financial situation and the fact that this legislation in no way addresses the financial shortfalls that the city of Toronto faces. The city of Toronto was deprived of a substantial amount of financial independence and stability with the decisions that were made by the Harris government in the 1990s. Decisions were made that moved a wide range of provincially mandated programs from provincial budgets to municipal budgets: the Ontario disability support program, Ontario Works, support for transit, support for social housing. Programs that cost, in aggregate, billions of dollars, and for the city of Toronto hundreds of millions of dollars, were moved from the provincial purse to the city of Toronto, to Ottawa, to Hamilton. Those changes have



made it fundamentally problematic for the city of Toronto and other cities to ensure that the services they're supposed to provide are provided.

Because those changes made in the 1990s were seen to be so deleterious to the city, we had Dalton McGuinty, who at the time was leader of the provincial Liberals, railing against the downloading of provincial costs. He said at the time, "The province took over education. On the face of it, it appeared to be good, but in return—this is very important to understand—it dumped a slew of new areas on the property taxpayers, including public health services, welfare, child care, long-term care for seniors, libraries, public housing, public transit and highways. Each of these new areas will now have to be paid for out of property taxes."

He goes on to say that the Premier would have had people believe that this was an even swap, but that in fact there was no even swap. The province came out of this shift in costs billions of dollars to the better. The cities, and the city of Toronto in particular, came out of this hundreds of millions—billions—of dollars to the worse. This means that this situation is far beyond a situation of problems with administrative matters. It is a problem related to the fundamental funding of the city, and we see the effect on daily basis.

1610

When you walk down the streets in Toronto, you see more litter than you would have seen a decade ago. When you go to public facilities, like schools, when you go to recreation centres, you see decay, you see buildings that are unattended, you see situations that would not have been left untouched a decade and a half ago but which now are becoming increasingly the norm. The download on to the cities, which has not been corrected by this government, even though in opposition and in the last election they promised to correct it, is fundamentally problematic for the health of this city.

This bill will not address that. This bill is meant to address a number of administrative matters, and those administrative matters to some extent will give the city tools that will allow it to function more efficiently but won't allow it to fully deal with the political and social problems before it.

One of the things that is suggested in this bill is to allow the city to impose new levies on alcohol, tobacco and entertainment, which, even if fully utilized, are estimated to be worth about \$50 million, perhaps a quarter or perhaps a tenth of the value of the burden that's been imposed on the city by the provincial government. Beyond that, those levies, which may be useful in an emergency, are highly problematic for the city—highly problematic in terms of the city's ability to levy them without running into real difficulties with its tourism and hospitality sector.

So what is the city left with? The city is left with a highly problematic financial situation and with a series of amendments that are far less substantial than the city has asked for and far less substantial than the city needs.

When you actually take a look at the act, when you take a look at the preamble to the act, you find this:

"The assembly recognizes the importance of providing the city with a legislative framework within which the city can build a strong, vibrant and sustainable city that is capable of thriving in the global economy. The assembly recognizes that the city is a government that is capable of exercising its powers in a responsible and accountable fashion."

I think that is a pretty good preamble. But the reality is that the legislation before us does not reflect that preamble. It squandered opportunities that will not come before us for a very long time.

If you look at this legislation, it amends the City of Toronto Act that was adopted in 1997. So once a decade we have an opportunity to try and deal with the problems that face us here in the city of Toronto, here in the province of Ontario, with regard to the urban agenda.

There are tremendous opportunities in this legislation to deal with environmental issues, to deal with influence peddling, to deal with disruptive social problems, but we didn't get action on those. We got the beginnings of action, but not the action that has to happen. We got perpetuation of the control by the province over the internal workings of the city of Toronto in a way that I believe will be highly problematic for the city in the years to come.

I want to address a number of those problems that could have been dealt with at the committee level so that upon coming here, we would know that at least for the next decade many of the administrative problems that people are concerned about will have been dealt with.

I first want to talk about the whole question of energy efficiency and conservation. In his initial statement to our committee when this bill was presented for hearings and consultation, the Minister of Municipal Affairs and Housing came forward and talked about the bill and about the huge advance and advantage that the legislation would provide for the city when it came to energy efficiency. Energy efficiency in this bill is addressed in one area only, and that's the question of allowing the city some latitude to assist in the development of green roofs.

Green roofs are a wonderful thing. I was at a ceremony just earlier today at the opening of a green roof at Jackman school in my riding—a very positive advance for that school. The green roof will mean that the classrooms underneath that roof will be much cooler. The students on the second floor will have an opportunity to see a full-blown pasture, essentially, outside of their classroom. That pasture is planted with plants that will attract butterflies. It is a real advance.

But when the city suggested that it could use a change in the legislation so it could charge a tax on energy consumption, which would in fact give the city a tremendous advantage in being able to finance long-term energy efficiency and conservation, that was denied at the committee level. The Liberal members of committee voted against it even though it is recognized in this chamber—recognized by the Minister of the Environment the other



day that in fact we have profound air quality problems in the city of Toronto and in southern Ontario.

Even though it has been recognized by the Minister of Energy that we have an energy supply problem in downtown Toronto that needs to be dealt with, will this government give the city of Toronto the tools to actually address those issues? Will it give it the power to raise the money that can be plowed back into energy efficiency so that we can drive down energy consumption in this city? It wouldn't. It said no. It passed it on. It set it aside.

I moved a motion to give the city of Toronto the power to set energy efficiency standards as part of site plan control, so that the city, which in the 1990s was a leader in these matters, could pioneer the efficiency of buildings in this city and advance the interests of an environmental agenda. Unfortunately, that motion was set aside, was not adopted.

In the early 1990s, the city of Toronto council brought forward a requirement that new buildings that needed rezoning had to conform to ASHRAE 89.1, if I remember the number correctly. That requirement led to a change in the provincial building code, requiring higher efficiency. The city of Toronto has a bureaucracy, a leadership, within its administration that has a consciousness about energy issues and efficiency issues that is qualitatively different from that of the rest of this province. The city's electrical utility, Toronto Hydro, is engaged in far more aggressive plans for energy efficiency than any other utility in this province.

To give the city of Toronto an opportunity to move forward its environmental agenda, its energy agenda, is something that would benefit the province as a whole—not just the city but the province as a whole, and yet it was not possible to get that moved forward.

You know as well as I do, Mr. Speaker, that the reality right now in the city of Toronto is that this government, the McGuinty government, is moving forward with a 500-megawatt power plant costing \$700 million to deal with the shortfall of power within the city of Toronto's downtown core.

Now Toronto Hydro is going forward with a \$40-million program to cut energy use by 250 megawatts. They estimate that with another \$150 million, \$200 million, they could cut power by a further 200 megawatts, 250 megawatts. For a cost far less than the cost of building this 500-megawatt power plant, they could deal with the power crunch in downtown Toronto. They could employ thousands of people. They could cut air pollution. They could reduce the burden on ratepayers for hydro in this province. They could make a huge difference to downtown Toronto, and to the province as a whole, if they were given the support from this provincial government that they should be given.

1620

The approach of this government is not one that's supportive. This government has been consistently moving forward on the Portlands Energy Centre, contrary to the interests, the stated concerns and the stated wishes of the city of Toronto. Contrary to the preamble that I read out

to you, this bill and this government have not respected the city of Toronto, its well-being, its interests.

Another amendment that the city of Toronto requested was an amendment to allow city staff to require production of a licence by those in a standing vehicle. The reason for that is to allow the city of Toronto to enforce its anti-idling bylaw.

You are well aware, Mr. Speaker, that we have an air quality problem in this city. The city of Toronto has an anti-idling bylaw. It wants the ability to enforce that bylaw so that unnecessary burning of fossil fuels, unnecessary burning of gasoline can be restricted, can be contained, and so that the city can actually take action to improve the quality of air.

This lack of response and interest on the part of the province to give the city power to deal with air pollution says to me that all the fine words we hear from the Minister of the Environment, from the Premier and others are simply window dressing. When it comes to giving the city of Toronto—an entity bigger than most provinces in this country—the ability to deal with its air pollution problems, this McGuinty Liberal government pulls back. It ignores them. It forgets about them. It sets their interests aside.

In another area of concern, we have the whole matter of slumlords. Not all landlords—in fact, a very small minority of landlords are slumlords. But some are highly problematic, people who speculate on the value of housing. They speculate, and then they buy houses and fill them with whoever they can get. They pack them as full as they can. When challenged by the city or by municipal bylaw enforcement, those landlords engage in a variety of methods of subterfuge to avoid being held to account.

The city of Toronto asked for powers within this act to take action against landlords by being able to take action against individual addresses. Unfortunately, this government felt that it could stand aside, let things go on the way they were, not give the city the power to deal with crack houses. I've had to deal with them from time to time as a city councillor. If you have a house full of people who are doing a lot of dope, peddling a lot of dope or engaged in a variety of disruptive activities in a neighbourhood, you will know very quickly that neighbours want action. Cities have some powers but not the powers they need to go after slumlords and absentee landlords who are quite happy to disrupt those neighbourhoods.

Frankly, the refusal of this government to deal with that issue is going to come back to those MPPs in this government who will, from time to time, have to deal with disruptive houses or crack houses. Their refusal to give the city of Toronto, the leadership of Toronto, the politicians in Toronto the ability to act is hugely problematic—irresponsible, frankly.

The next area where the committee and McGuinty government had an opportunity to take action was around influence peddling. We're all well aware of the MFP scandal. We're all well aware of Madam Justice Belamy's review of the problem with the city of Toronto and her recommendations for action. In fact, the city of



Toronto came forward asking for action to be taken in those areas, and in a very limited way the government started to take action on those issues. But when it came to dealing with some of the key pieces around making sure that lobbyists could not become major fundraisers, when it came to making sure that lobbyists couldn't establish their net of influence through financial means, this government balked.

There's a famous series of stories done about influence peddling in the city of Toronto in the 1980s. One reporter related in the *Globe and Mail* a famous story about going past a city councillor's office with one lobbyist roaring at the councillor that he was never going to be selling baseball tickets for him again because of the bylaw he'd voted in favour of that day.

We heard during the Bellamy inquiry about lobbyists who made sure they channelled payments to city councillors, allegations that people were given cheques to carry in, cheques to bundle. In the course of debate in committee, it was that we shouldn't be restricting people's rights of access to the political process. In terms of lobbyists coming and making an argument, putting the case, setting out the facts, I think that's fair enough. People in this society should have access to decision-makers. I think it should be our constituents more than lobbyists, but be that as it may, there are interests in society that select spokespeople, send them in and ask them to make a case to decision-makers. That's one thing.

The other thing is to have lobbyists become fundraisers for those politicians and develop influence far beyond what most people want by allowing those lobbyists to also be major fundraisers for those politicians. That's something the city of Toronto wanted ended that came out of the Bellamy inquiry. I would say most people here who followed the events in that inquiry, who followed the events that lead up to that inquiry, would have said, "Madam Justice Bellamy has got something here." We should make sure that politics are cleaned up municipally. We should make sure that the city of Toronto doesn't have to deal with these kinds of problems in future, and that if it has to deal with them, it has the tools to deal with them so that politics are clean, because we know what happens with these kinds of scandals.

Quite certainly, the individuals who were at the centre of them are tainted. Their reputations are scarred. I would say that where in fact they were guilty of acts that were completely untoward or illegal, the scarring of their reputations was entirely reasonable, but the reality is that scarring carries over to the whole political process and to all politicians. So to the extent we don't act to cut back on corruption, to the extent we don't act to make this a cleaner political system, we undermine the ground we stand on. This was a huge opportunity that was squandered by this government. It should not have done this. Yet it still rejected those amendments that came out of the Bellamy inquiry—frustrating, profoundly frustrating.

So Mr. Speaker—Madam Speaker. Turn away and the Speaker changes.

**Hon. Mr. Caplan:** For the better.

**Mr. Tabuns:** I have no comment on for the better or the worse, just the Speaker changes.

In any event, Madam Speaker, concern about energy efficiency, concern about crack houses, concern about corruption—those matters where in fact the government could have acted and provided the city with stronger tools were squandered opportunities.

1630

But the other problem relates to the fact that, notwithstanding the very stirring preamble to this act, the province has continued to keep the city on an extraordinarily short leash. I want to read out two sections of this act that people should be aware of. Section 25 says:

"Regulations re the provincial interest

"25(1) If the Lieutenant Governor in Council considers that it is necessary or desirable in the provincial interest to do so, the Lieutenant Governor in Council may make regulations imposing limits and conditions on the power of the city under sections 7, 8 and 262 or providing that the city cannot exercise the power in prescribed circumstances."

So without coming back to this Legislature, without having general debate by those of us here who represent the city of Toronto or the rest of Ontario, the cabinet on its own can simply say, "You know, we don't like what these guys are doing. We don't like what this city council has decided to do. We're going to go in. We're going to reach in. We're going to reshape their decisions. We're going to set them aside." How do you justify that? How do you justify saying that we're dealing with a mature level of government and yet, not even through legislation in future, simply by a cabinet decision, reaching in and setting aside the bylaws of the city of Toronto? This leash is very short. This leash is unreasonably short.

Again, I note that the city of Toronto is larger than most provinces except for the province of Quebec. It has people it elects who will make mistakes; it has people it elects who will make good decisions; but it is a level of government that deserves to be able to make its own decisions and chart its own course.

We set the framework within which they operate so that we protect the citizens. They have a democratic structure, but after that, people get to protect themselves through elections. They get to vote people in, they get to vote them out, and we let those elected representatives make those mistakes and pay the price or reap the benefit of happiness that comes from those decisions.

What we've done with section 25 is say, "Watch it. We're looking over your shoulder. Don't do anything we don't like because we can reach in any time without legislative debate and change what you've done or set aside what you've done."

The other thing that we got in this bill is section 151. This is quite interesting, and it was Mr. Hardeman who initially started off this debate. I'll just read it out, because people should understand what's in here:

"151(1) The Lieutenant Governor in Council may make regulations,



“(a) requiring the city to establish an executive committee from among the members of council and prescribing the composition, powers and duties of the committee, including, for example, requiring the committee to provide strategic directions for the city;

“(b) requiring the head of council to appoint the chairs and vice-chairs of specified committees of council and specified local boards;

“(c) requiring the head of council to appoint one or more deputy heads of council from among the members of council and prescribing the duties of the persons appointed;

“(d) requiring the head of council to nominate or to appoint one or more persons who will have the prescribed responsibilities, powers and duties of a chief administrative officer for the city;

“(e) establishing procedures for the appointment of persons who are nominated under clause (d) by the head of council;

“(f) establishing procedures relating to the dismissal of persons who are nominated or appointed under clause (d)....

“(h) requiring council to appoint specified committees composed of members of council elected from specified geographic areas of the city and requiring the city to delegate prescribed powers and duties to the committees;

“(i) specifying procedures for the adoption by the city of a budget....

“(j) specifying the duties of the head of council in respect of the adoption or re-adoption of such a budget by the city.”

In other words, what this government has done is say, “On the one hand, you can have whatever form of organization you want on your council. You can set up whatever committees you want; you can have whatever relationship you want between the mayor, senior members of council and the rest of council. But frankly, there’s a hammer over your head. There’s a structure we like, we’ve set it out, and you have to guess how far you can go away from this structure before we act,” because the structure set out here is not something that has to be debated in this Legislature. “No; don’t have to go that far; don’t have to take up that much time. It’s far speedier, far more effective, far more efficient: It can be decided in cabinet.”

So on a day-to-day basis, the cabinet of this government or the next government that’s elected—and I don’t know who will make up that government—will be able to reach in and change the structure simply by cabinet decree. That does not make sense. That does not speak to respect for the maturity of the city of Toronto level of government. It does not speak to the kind of structure we want in this country, in this province. We don’t want a situation where arbitrary decisions by cabinet, not reviewable by the Legislature as a whole, can rewrite the structure of the city of Toronto and, in fact, rewrite it in a way that centralizes power in the mayor’s office in a manner far more reminiscent of American cities, not of Canadian cities. We know the problems that American

cities have faced. We also know the difficulties inherent in running a city anyway.

One of the concerns that’s been pointed out to me is that, far more often, over the years, women have been elected to city council; fewer women are elected as mayors. Women have less access to financial resources that will allow them to mount large, city-wide campaigns. So what we have here will be another marginalization of women and minorities as they come into council because power will be concentrated in the office of the mayor, the head of council. I think that’s a huge mistake on the part of those who drafted this bill. Their interest is in that centralization of power. Their interest is not just in the centralization of power, but making sure that power stays as close to Queen’s Park as possible and making sure, as I said, that the city of Toronto is on a very short leash. I think that is a mistake. I think the government should not have put it forward.

We know that this is not the only venue, the only forum within which the power of the city, and of other cities, is going to be constrained. Bill 51, the planning and conservation land statute law that is going to be debated here, has a section within it that allows the province to override municipal zoning when it decides it wants to site a facility that produces electrical power, which is quite extraordinary. So it seems very clear that, notwithstanding the debates that councils go through, notwithstanding the debates that citizens go through when they want to decide how their cities will be shaped, we have the ability of the province to simply move in and say, “You know, we’ve decided to build a power plant here. We know you have zoning, we’re glad you went through the zoning exercise. Gee, I hope people enjoyed the debate and the open houses, but frankly, forget about it. We’re going to put in a power plant. We’re going to ignore your zoning, we’re going to ignore your municipal power. We’re just going to go ahead and do what we feel we have to do.” That does not speak to respect for the municipal level of government. That speaks to an approach that is arrogant—an approach that is arrogant in the same way that this bill will be when it imposes very short-leash conditions on the city of the Toronto.

#### 1640

This lack of respect again comes out when we look at the Portlands Energy Centre, when we look at what the province wants to do in Toronto. In 2003, the province of Ontario decided it wanted to build a Portlands Energy Centre in the port area on Toronto’s waterfront. The city of Toronto went through extensive debate. They decided they did not like the plan that was put forward. They sent conditions to the province around which they would be willing to have a discussion, around which they would give themselves and the province grounds for discussion, grounds for deciding exactly how the city of Toronto’s power needs would be met. This government completely ignored them.

The initial plans came forward: a power plant that would provide steam/hot water to the downtown so it would be a cogeneration plant, a huge solar photovoltaic



installation, one of the biggest in North America—so it was pitched. As the project went on, those environmental elements were ditched. The panels are gone, the cogeneration is gone; we have an expensive plant and we have a government that ignores the city of Toronto. And when it brings in legislation to deal with the city's concerns, it doesn't give the city the powers the city feels it needs to deal with a variety of pressing environmental, legal and social problems. This act perpetuates that parent-child relationship with the city that I don't think in the long run—even in the short run—can be good.

Where does that leave us with this act? I know that this act will come forward. This government has a majority. It will use that majority to have this act adopted. But over the next five to 10 years, while the city tries to struggle with its financial problems, while it tries to struggle with its social problems, we will hear from people in the city, because they know that they're stuck in a situation where their fundamental needs are not being met. I think what it will mean is that this bill or a bill like it will have to come back to the House at a later date. This government or a subsequent government is going to have to address the fact that cities cannot be treated as wayward children.

The section on imposing a structure of government on the city of Toronto is going to have to be taken out. The section on allowing the cabinet to interfere with council decisions is going to have to go out. You have to ask, is this government going to be monitoring every council meeting? Or is this government going to be acting on decisions of council when it gets complaints from a friend who says, "You know, the city didn't give me the zoning I wanted. They've passed a bylaw that's contrary to my 70-storey tower in a residential area. I want you to step in"?

This government is opening itself up to lobbying by interests that will not be happy with the city of Toronto's decisions. The city should be allowed to make its own decisions; it should not be put in a position by this government where it will always be looking over its shoulder.

It's frustrating to know where to go with this. I know in 1997 when we were dealing with the Harris government on the megacity legislation, we were all completely taken aback that the government of the day, of Mike Harris, had decided to ignore the history of Toronto, had decided to ignore the will of the elected representatives, of those who lived in Toronto and, frankly, had decided to ignore the will of the majority of people in Toronto who were willing to vote in a variety of referenda that took place in the city at that time.

I had an opportunity to talk to people throughout my riding in that period, people who did not like the idea that their government that they had a connection to, that they had responsiveness from, was going to be taken away from them. We had rallies, we had mail-in votes, we had call-in votes, we had demonstrations on the steps of the Legislature, we had support from the Liberal Party at the time, and yet the government of the day, the Harris

government, went ahead and stripped Toronto, Etobicoke, Scarborough, East York and North York of their historic character, of their ability to set their own course, and set in place a mechanism that dramatically reduced accessibility of people to their elected politicians. That's a simple reality. The number of politicians—and no one will weep over this—was reduced, but what was problematic was the ability of people to sit down with elected representatives, talk to them, shape their thinking and make them aware of what was going on in their neighbourhood. That was reduced dramatically—highly problematic, and something that the city of Toronto has been wrestling with ever since.

I talk to people in my riding and I talk to people in other ridings whose experience has been that the city government has become much more distant, much farther from them, because in fact their ability to get at politicians now has been reduced, and at the same time the government of the day collapsed the boards of education. They took trustees from being full-time down to \$5,000 a year part-time; thus people couldn't access trustees. When they had problems with schools, their ability to get at the administration, to have an advocate speaking on their behalf, moving things in their direction, dried up.

I'm hopeful that at least part of that will be addressed by this government. But if it's addressed in as narrow a way as it is addressed in this bill, if it is addressed in a way that does not deal with the fundamental problems, if opportunities are squandered, as was done with this bill, then we will not have a happy group of voters out there. We will have people who feel that their interests, their needs, are once again forgotten.

I know that when people see this bill, they will say, "Okay, there were some administrative problems that were dealt with. We're very pleased about that. We're glad that it doesn't take provincial action or provincial approval to get a speed bump on a street." But if this government intervenes and reshapes the government of the city of Toronto in a way that does not reflect the interests of people there and people cannot simply say to council, "We don't like the way you restructured yourselves. We want you to change it back, and if you don't change it back, we will address this in the next election," if they're told, "Well, in fact, that's out of your hands. It's in the hands of cabinet. Good luck. Too bad, so sad. Get used to it," you will have undermined people's confidence in government in this province. You will have undermined their confidence in government generally because you will have done what the Harris Tories did: distanced the municipal government once again from the people of the city.

If you don't act to give the city of Toronto the tools to deal with air pollution and smog, you will undermine confidence in government as a whole. People expect action. They hear words from us. They hear words from us constantly about how much we care about air pollution, smog and climate change, and yet those problems continue to deepen and they continue to broaden. We aren't getting action on it, particularly when we see that



jurisdictions like Toronto that have the will, the interest and the capacity to take action on it don't get the powers they feel they need, feel they can use, to move the agenda forward.

It's a surprising thing for me. I've only been here a short while. You're aware of that. When an opportunity presents itself, a once-in-a-decade opportunity, one would think that a government would try to move things along in a way that would comprehensively deal with problems. When I talk to the police in my riding about the problems they face with crack houses, they express a total frustration about the inability of municipal officials to deal with those houses. They express frustration with the lack of authority in municipal legislation to actually move the agenda forward. So we face a problem of people feeling that their local community is out of control and that not the police, not the city, not anyone is able to actually deal with problems that they think are so glaringly obvious, so glaringly unacceptable that surely someone should be able to step in and take action.

1650

This government, in rejecting the amendments requested by the city of Toronto, has made sure that the city can't step in, can't take action the way it's supposed to take action. I believe that, ultimately, all of us will pay a price for that, but I certainly think the government will pay a price for that. They had an opportunity, they understood the facts, they were given the information and yet they still, en masse, in a bloc, in committee voted against taking the steps that have to be taken.

I would say that this government should, even now, decide that within the next few years it will reintroduce legislation, that it should consult with the city of Toronto, that it should look at the actual operation of the legislation that was brought forward and that it should sit down two years from now and say, "Okay, the sky hasn't fallen in. The city of Toronto has used its powers in a way that's admirable. Let's move things forward."

If we don't adjust things, if we don't address the things that the city has brought to our attention, once again we will be dealing with another inquiry into another MFP-type scandal because it's a matter of time. When you deal with government, you know there is constant pressure on the part of different interests to get their way, and interests that want to get their way by hook or by crook are out there.

Happily, with the election of David Miller I'd say that those forces have been pushed to the side. But administrations change, people in government come and go, and there again will come a time in the city of Toronto when lobbyists who are able to bundle large numbers of cheques, who are able to fundraise, who are able to send councillors to football games or hockey games in Pittsburgh, will once again have the opportunity to get at the city. If the structures are not in place to bar those lobbyists, to weaken them, to fundamentally undermine their powers, then we will once again find ourselves wrestling with the very same problems we've wrestled with over the last few years.

In wrapping up, I suggest that this government consider the opportunities that it has lost, resolve to come back to this bill again in the not-too-distant future and deal with the problems that the city of Toronto and I have identified in the course of the debate at committee and here.

**The Acting Speaker:** Questions and comments?

**Ms. Wynne:** I appreciate the comments of the member for Toronto–Danforth. I know he's got a keen interest in city issues. I see this differently, however. I worked very closely with folks in the community. I know that this legislation was drafted really out of a joint process between city staff and provincial staff. I know that Mayor Miller was very happy that we had landed where we landed.

I see this legislation as a huge opportunity for the city. The member for Toronto–Danforth has said, "You may have to come back and change things in the future." Well, sure, there will always be amendments to legislation in the future. We can't predict that. But at this point, we've come up with a piece of legislation that actually addresses a lot of the concerns in terms of local governance, in terms of local autonomy that the city was concerned about.

I just want to talk about two sections, sections 140 and 144. In those sections, the city gets the authority to create boards or other groups, and to delegate authority from the large city council to those other bodies. That's a critical piece of autonomy that is necessary for this city to heal from the amalgamation that was thrust upon it by the previous government. Until the city can organize itself in such a way that local communities have some control over that decision-making process and that not everything goes to the central council, I don't think the city can heal.

I agree with the member for Toronto–Danforth: The amalgamation was a disaster for the city. We all fought it. He and I fought it tooth and nail. It's a fact. What we have to do now is give the city the tools to rebuild. That's what this legislation is very much central to.

**Mrs. Julia Munro (York North):** I'm pleased to add a few comments to the debate on Bill 53. One of the pieces that has to be understood about any bill to respond to a city with the kind of vitality, dynamism and vibrancy that Toronto has is one that maintains that, one that ensures it will continue to be a vibrant city.

There are a couple of things I think need to be raised in awareness in terms of the problems and challenges this bill presents for people. One of them is the question of the ability to raise new taxes. This has two possible fall-outs. One, obviously, is that it will put Toronto in an even less competitive position with its GTA neighbours. Subsequent to that, I think it will mean that other municipalities are going to see the opportunity and are going to want the same kind of taxing powers, neither of which I think goes to the whole idea of having a healthy economy and a vibrant city.

To me, those two things should be the cornerstones of any piece of legislation that any government would want



to put forward, not only for the capital of the province, but quite frankly for other cities as well. I think that in a number of areas that vitality is severely damaged by the potential of this bill.

**Mr. Michael Prue (Beaches–East York):** I rise to talk about my colleague from Toronto–Danforth and his speech. I watched most of it on the television downstairs, but in two minutes I can only talk about one aspect. That's when he raised the whole issue of Madam Justice Bellamy and her report to Toronto city council about how and the many ways in which she recommended that the city of Toronto could pass legislation and/or bylaws to make sure that the transgressions meted out upon the city and the people and council of Toronto would not occur again.

I had the opportunity during the many deliberations to actually give evidence before Madam Justice Bellamy. I was called with a group of politicians, having been a former mayor, to talk about how procedures operated within in-camera meetings, how procedures operated around the tendering process. I remember that quite well. The recommendations that subsequently came from her were exactly spot on. They were exactly what needed to be done.

Given an understanding that the city of Toronto requested that much of those powers be contained or be amended and included within the body of this bill and that that has not happened, I'm not surprised some officials in Toronto are disappointed. They may not be disappointed to the extent that they want the whole bill thrown out, and I would acknowledge that, but they are disappointed nonetheless.

It would seem to me that if this government were truly anxious to have a municipal partner instead of a municipal underling in the city of Toronto, they would have listened much more carefully to what the city has requested and what Madam Justice Bellamy had to offer in her very learned recommendations. They chose not to do so. They defeated the very amendments that would have strengthened that and would have made it literally impossible for those transgressions to happen in the city again.

1700

**Mr. Shafiq Qaadri (Etobicoke North):** I would like to add the voice of the good people of Etobicoke North, as a Toronto member myself, in support of Bill 53, the Stronger City of Toronto for a Stronger Ontario Act. I think there are a number of aspects that we can share—highlights, I guess, of this particular bill, whether it's continued maintenance of the provincial interest yet offering a certain degree of autonomy to make its own decisions, to implement some its own strategies and, yes, also to avail itself of some taxation or money-raising opportunities, for things that are seen as important at the local level because after all, Speaker, as you'll very well appreciate, the riot-police-level mess that was left by the previous administration with regard to downloading, with regard to amalgamation—these are serious issues that

we, as a government, have had to deal with, have had to seek remedy for.

I think, beyond the members of this government, beyond the Premier, if anyone has the interests of Toronto at heart and whose opinion one can seek and value in this area, it's His Worship David Miller, the mayor of the city of Toronto, not only by his presence here during the launch of this particular bill but, as well, for the many meetings both he and his staff and his particular associates had with us in terms of consultation, in terms of framing this debate, in terms of, essentially, helping us to navigate our response to stakeholders.

This is a bill that is absolutely good for the engine of Ontario, and that, of course, is the city of Toronto.

**The Acting Speaker:** It's time for a response. The Chair recognizes the member from Toronto–Danforth.

**Mr. Tabuns:** I appreciate the words from the member from Don Valley West, and I think, indeed, it's true that it's necessary to provide the city of Toronto with some structure that will allow it to devolve decision-making down, closer to the grassroots, closer to the citizens. That could be done without, in fact, bringing forward the changes or, frankly, incorporating in this act the ability of the cabinet to reach in and change the city of Toronto, keep it on a leash without any discussion, any debate, here in this Legislature. I think that's highly problematic.

When we fought against the megacity legislation, there were public hearings, there was debate in the Legislature, there was an opportunity to challenge the direction the government was going in. But what we have here is a movement of power into the hands of cabinet. I say to the MPP, the member from Don Valley West, that you can't always be sure who's going to be in government. These things are unpredictable. Make sure that you structure things so that you, possibly in opposition, can live with the structure that's before you. I think the structure that's before us could be highly problematic in the future, may be highly problematic in the very near future, but it may be seen from Liberal benches to be very problematic two years from now. This is a failing in the bill. I still think there are things here that the city of Toronto needs. We should go forward with them, but these failings will come back to haunt us.

**Hon. Mr. Caplan:** On a point of order, Mr. Speaker: I seek unanimous consent that, in question period next week, the normal rotation for all political parties is restored.

**The Acting Speaker:** The deputy House leader has sought unanimous consent for the normal rotation for question period to be restored for next week. Is there unanimous consent? Agreed.

Further debate?

**Mr. Prue:** I'll take this opportunity. First of all, I would like to thank my colleague from Toronto–Danforth. This has been a couple of very hectic weeks. Although I am the municipal affairs critic and would normally be expected to have carriage of this bill in committee, it has not been possible to do so because I'm also, of course, the finance critic and we've been in estimates for the last



four times that the committee met to discuss Bill 53. So he has had carriage of the many, many amendments put before the committee and, from everything I understand, did a most capable job.

But I still need to speak to this bill. It still is of the utmost importance to me to make sure that the city of Toronto recovers from the forced amalgamation. Speakers have said—even today, the speaker from Don Valley West, I think, put it very well—that amalgamation has not worked for the citizens of this city; it has been an unqualified, unmitigated disaster. Even the politicians who are elected, who put on a brave face, will tell you in private what they will not say in public: that things do not work well in this city. All of the savings that were supposed to accrue to the people who live here have not been realized. All of the efficiencies that were supposed to happen have not happened. All of the reductions in staff have not happened; in fact, there are more people working for the city of Toronto today than there were in the six municipalities and Metro Toronto before 1997.

Certainly, we know that citizen involvement in the city of Toronto is at an all-time low. The structure that has been set up is not conducive to ordinary citizens becoming involved in the political process. Before, they were able to go before their local councils; before, they were able to make deputations at council meetings and/or committee meetings. Today they have a very difficult job doing that in front of the community councils. They have a difficult job doing that because the structure that was set up at the time of amalgamation is not one which allows for ordinary citizen involvement.

The reality is that when you go to a committee today in the city of Toronto and you try to make a deputation, unless your local councillor is on that committee, there may be no one on the committee who understands your neighbourhood, there may be no one on that committee who understands your issue, and in fact they very often don't listen. I have been a party to that. I have been there and seen deputants come in and start to talk about an issue in Etobicoke or Scarborough or North York or the old city of York, the city of Toronto, some neighbourhood with which I was not familiar. I do have to tell you, I took that job as a megacity councillor quite seriously, and it was difficult. It was difficult to watch those deputants with hope in their eyes and trying to make a position known before a group of councillors sitting around in a circle who quite frankly did not know, and often did not care, what their issue was. Those people who were there couldn't defeat them in the next election. Those people didn't have a vote in the next election on whether a councillor from another area of the city would be elected or not elected. I don't know on how many occasions the councillors had to be admonished by the chair, or sometimes by the people themselves, for not paying attention, for not listening and for not participating in the debate. That's the reality of the megacity today.

So when this bill came forward, we all held hopes that the bill would allow the city of Toronto, the megacity, to

restructure. If it is not possible for it to de-amalgamate—and I still live in that hope. I still live in the hope that Toronto, like every other megacity in the world that was forced to amalgamate, will one day find the strength or find the government that will allow them to do so should the citizens wish. I don't know what's happening today; I don't know what's happening in the city. But I do know in my own local neighbourhoods and from the people I meet across this wonderful place called Toronto that there is still an undercurrent of people who feel that the old system was better, that they were better served and that their politicians listened to them better than they do now.

So when I look at this act, in the absence of de-amalgamation, in the absence of giving back the citizens' power in their own locally controlled councils, what else can work? I looked at this bill with some hope, but I have to tell you, some of those hopes have been dashed not only by what has been contained within the bill, but by the government's actions in committee.

1710

First of all, we put forward some 60 motions in committee, trying to change various aspects of the bill. The majority of those motions were requested by the council and the mayor of the city of Toronto. They read the bill with great interest, and they put forward 60 motions, most of which were technical in nature. They were technical in nature to the extent that most of them allowed the city of Toronto, through its council, to have a say in how they were governed and in their governance process. Most of them would have worked, but in every case save and except one, the government used its majority to reject them all. The only one that passed, one of the motions which my colleague the member from Toronto-Danforth put in, was by some miracle identically worded to a Liberal motion which you had put in. I'm given to understand that you mistook ours for yours, and therefore passed ours instead of yours. But I don't think that's to any avail. It was one that you were going to pass and had already determined you were going to pass. So there was then one motion passed. We have to say that we are very disappointed that they were all defeated.

They don't want the city's requests, quite frankly, for greater control over setting environmental efficiency and conservation standards. This was another one of the issues that were raised. We moved an amendment in committee that would have provided Toronto with the ability to set higher energy efficiency and conservation standards than those in the Ontario building code. We know the Ontario building code, in many respects, is deficient. It is 40 or 50 years old; it is out of date. This very day, this morning in this House, I put forward a bill that would in part change the Ontario building code to make it illegal to build a wooden fire escape. That's the kind of stuff that's contained in there. The building code allows Ontario as the only province to have a wooden fire escape that can go up in flames when someone's trying to escape an inferno. That's the kind of stuff that's there. The city of Toronto understands that the building



code doesn't work in a modern metropolitan environment. They understand that with skyscrapers and with people living cheek to jowl in tight proximity, the old building codes don't work.

The city of Toronto also understands, through its green cities initiative, that there are many things that can be done in conservation measures which are not contained in the present building code of Ontario. So they asked for the authority to do something more: to put in green roofs perhaps, to put in better insulation in walls and ceilings. They wanted an opportunity to make this an environmental experiment, an environmental capital not only for Canada but for the world. The city of Toronto has won awards for what they have done as a city, and they wanted that contained within the body of this bill so that they don't have to run back and forth to Queen's Park asking to do things better than the norm. It would seem to me that it would have been very simple in the bill to allow the city of Toronto to go ahead and do something which is better. The building code is there, and all they would have had to say is that they must obey the building code, save and except where what they are proposing is of a higher standard. You could have allowed the city of Toronto to do that. I don't know why you wouldn't allow the city of Toronto to do that, but you did not.

You did not allow them to show leadership in energy efficiency and conservation, and you're holding them back. I don't know why you want to hold them back. It makes no sense at all, considering the debate that we have nearly every day in this Legislature, where minister after minister stands up and says, "We're interested in conservation. We want to conserve electricity. We want to conserve our resources. We want to conserve. We want to conserve." I hear that every day in this Legislature. But when somebody with a proven track record comes forward and says, "We can do it better. Just give us the authority. You're passing the bill anyway," the answer is no. I have to tell you that the city of Toronto is disappointed, I am disappointed, and I know that the citizens who live here are disappointed.

Instead of letting the city of Toronto meet a greater proportion of its energy needs through decreasing demand, the McGuinty government wants to put a mega power plant in east Toronto. I want to talk about that for a minute too, because the city of Toronto doesn't want that mega power plant. They have made that very plain; they have made it very clear in the depositions. That is an ill-conceived idea and I have no idea where it came from. I've heard the former Minister of Energy talk about that in this House, some obscure argument that 20 years ago some of the electricity used in Toronto was produced in Toronto, but now we don't produce the same amount we used to and we import it from beyond our borders.

There is a very rational reason for that. It is because the coal-fired generation plants have been shut down, and they needed to be shut down. Those were the polluters—the Hearn and the others—that were in downtown Toronto, and they were the ones that were seen as necessary to close. I agree they needed to be closed.

With modern electrical procedures, with modern electrical technology, power can be brought in from anywhere. We could run an underwater cable from Niagara Falls for the new electricity that Toronto needs. We could build new transfer stations. We can do all kinds of things. It does not have to be located—the amount of electricity that is lost in transmission over the wires from outside the borders, the four corners of Toronto, is quite negligible.

Toronto has asked to do something about that. You have turned them down. Toronto does not want that mega-development on its waterfront, that waterfront that every single Torontonian covets for green space, covets for parkland, covets for new development, covets to make our waterfront the equivalent of and as good as what has happened in Barcelona, what has happened in London, what has happened in many cities in the United States. That is the dream we have. Instead of having that dream, we have the proposal to build an ugly gas-fired plant without any conservation. You shoot down the conservation on the one hand and you force through your mega gas plant on the other. The city of Toronto and its councillors want nothing to do with that. That is not a vision. This is a short-term misguided action of a government with no plan, a government with no vision.

Transportation authority: That was a bit of a stuff today, you know? I guess the TTC is having some of its own problems. I read with sadness in the last couple of days that Rick Ducharme has decided to quit. There seems to be a great deal of turmoil within the city of Toronto, its council and its members.

The Greater Toronto Transportation Authority is perhaps a good idea, but there is no funding that goes with it. There is no funding that goes with that transportation authority. I know the members opposite are going to talk about a two-cent gas tax, but the two-cent gas tax, even when fully funded out, is less money for transit and transportation than even Mike Harris gave the city of Toronto. I know it's sustainable in its long term, which is a good thing, but for this year there is less money going to Toronto than even the Harris Tories gave, and you have to ask about that.

The city of Toronto is a magnificent place. It is suffering like every other city in Ontario. I'd like to talk about the downloading for a minute because that hasn't been resolved by this bill either. Much has been made by the Tories about the \$53 million or so that the city may be able to raise in additional revenue by taxing theatre tickets, by taxing alcohol and beverages, by taxing restaurant and/or hotel meals and hotel rooms, but that is really quite small potatoes when one thinks of the problems that literally every single municipality, including the largest one in Ontario and the largest one in Canada—that is Toronto—faces every single day, and that's a result of the downloading this government has chosen to literally do next to nothing about.

As I alluded to earlier, I was in the estimates committee this week and had an opportunity over some nine hours, along with colleagues in the Liberal and Con-



servative parties, to put questions to the finance minister. It was quite revealing in many respects, but a group of questions I had an opportunity to ask the finance minister about was the downloading.

The finance minister and his officials somewhat said that the Association of Municipalities of Ontario's, AMO's, description of the \$3.2-billion download—you want to talk about a finance gap, there's one there—of provincially mandated programs that are paid for by municipalities was not correct. So when we push the issue, and I pushed the issue, if the AMO numbers are not right, if the \$1.3 billion for social assistance is not right, what are the numbers?

Well, I guess the numbers the province has and why they're disputing what the municipalities had to say is that it's not \$1.3 billion; it's only \$1.205 billion. There's about \$100 million there that they are disputing is not there, but they're not disputing the reality that there's somewhere between \$1.2 billion and \$1.3 billion of provincially mandated programs that are being paid for by municipalities that can't afford it.

1720

I asked the same question about housing, and that one came within a few million dollars of the \$879 million that the Association of Municipalities of Ontario had said. The others were in various degrees close, but there was one—I'm trying to think now which one it was; I think it was ambulance—where the estimate by the province was actually much higher than what the Association of Municipalities of Ontario said it was. When you added them all together, lo and behold, it was \$3.1 billion that the province says is unfair taxation, downloaded upon the municipalities for provincially mandated programs, and not \$3.2 billion.

That's what we should be talking about. Approximately one sixth or one fifth—closer to one fifth—of all the people who live in Ontario live in the city of Toronto. I would only guesstimate that about one fifth of all the costs of downloading—and it's probably higher than that—occur in this city. What we're talking about here is \$500 million, \$600 million or \$700 million. That's the money the city of Toronto needs to do its job and do it well. That's what this government should be talking about.

Instead, all of the debate is around whether or not the citizens of Toronto and those who come to visit here will have to pay an extra \$53 million in taxes. We all know that citizens do not want to pay taxes, save and except if they think the taxes are earmarked for socially progressive and necessary improvements in their municipality. They don't want to be paying extra taxes when they see that governments at higher levels are not doing well with those. They're not going to praise city of Toronto officials by raising the \$53 million, even though almost every single person who has been surveyed says that the cities are being starved of revenue. This government had a chance to do that. The city of Toronto asked them to do that in some of the amendments, to pass on some of the

savings from the downloading, but they chose not to do so.

It's a difficult bill because, quite clearly, there are those in the city of Toronto who are advocating additional powers to try to make an amalgamated city work. There are those who think that it is still salvageable; there are some who think it is not. I probably am of two minds. I can see that if you give additional powers to the city of Toronto, if you tinker around the edges on the governance structure, perhaps something that is more workable than what we have had to live through for these last seven or eight years may prove of benefit. On the other hand, it may not do anything at all.

The city as it exists today is in a bit of a crisis. It is in a crisis that is largely financial, but it is also in a crisis that it has not been able to do for its citizens that which literally every other unamalgamated city and town and village has been able to do: to have a dialogue with its citizens, have the citizens participate in the process, have the citizens have a say in whether or not taxes will go up in a direct election and a direct response to their local municipal councillors. That is what has failed in here.

This government has set a bludgeon that if the city of Toronto does not change the process in a way they think works best for them, the Premier, the cabinet and the Lieutenant Governor in Council can come along and institute anything else you want. They have asked for the right to be exclusively given to them. You have, in fact, denied it. That is a very sad day for democracy in this city. In spite of all of your protestations, this bill could have been so much better.

**The Acting Speaker:** Questions and comments?

**Mr. Brad Duguid (Scarborough Centre):** I want to begin by saying there are some things in the member from Beaches–East York's speech that we do agree with. We agree that amalgamation has been a real problem for our residents. He considered it a disaster. I don't know if it's a complete disaster, but it certainly was not a positive development for Toronto. We agree as well that Toronto is a great city that can be greater. It has great potential and I think, with the right tools, can become even greater. I believe this package will provide the city with some of the tools it needs to fulfill its potential. It's not the be-all and end-all, but it certainly is a very historic and important step.

Where we disagree is in the interpretation of the reaction from the city of Toronto. The city of Toronto is very much in support of what we're doing here. In fact, the mayor of Toronto has said many times that Premier McGuinty gets it when it comes to the needs of Toronto, that this bill is historic in its nature, that this bill will significantly assist Toronto in meeting its challenges. On that, I agree with the mayor of Toronto, not the former mayor of East York, the member for Beaches–East York.

He also indicated that a number of the amendments that came forward from the city of Toronto were not accepted by the province. Well, dozens of amendments came forward from the city of Toronto that were accepted by the government. I think he was referring to just



the NDP motions that were accepted. There were a couple of NDP motions, two or three, that the government accepted, but there were dozens that came from the city of Toronto, some of which we didn't accept, but the majority we were quite happy to accept.

That being said, in the few minutes left I want to thank him for his efforts in trying to champion the city of Toronto. Working together, we'll certainly create a better city of Toronto for all of us.

**Mr. Ernie Hardeman (Oxford):** I'm pleased to rise for just a few moments to commend the member from Beaches–East York for his fine presentation. Obviously, most of what was in the presentation we had heard before, as he was working on the committee and putting forward the position which he saw as the appropriate way to deal with the City of Toronto Act.

I just want to comment on a couple of the places in this bill—not everywhere—where I agree with his opinion on it in committee. One of the areas where I think we were in agreement is that there are far too many places in the bill where the province has the ability to override the decisions of the city of Toronto. It wasn't that I thought more power needed to go to the city; my position was just that if the intent of the bill was to give more authority to the city and in fact treat them as a mature level of government, that's what should be the end result. It shouldn't be by saying, "You can do all these things provided we agree with them, but the moment we don't, then we can override you."

One of the areas the member spoke to was the issue of taxation and the ability to raise money to cover the added costs of running the city. The taxes that are allowed are not sufficient to do that. One of the taxes that was brought up during the committee hearings that the private sector did not want in, the realty people in particular, was the land transfer tax. We said, "Why doesn't the province just include that in the list? Since the minister said he was not in favour of that type of tax, if you really believe that one should not be used, why don't you put it in the list of taxes that are not allowed to be used by the city of Toronto?" The province refused to do that, recognizing, I suppose, that they intended the city to be able to use that, and in the whole bill that would be the only place one could even envision enough dollars coming out of the new taxing authority to cover the costs of the city, that they need to run their budget.

**Mr. Tabuns:** I want to say I appreciate the comments from the member for Beaches–East York. In the fight to preserve the old municipalities in the city of Toronto, as the mayor of East York, Mr. Prue was one of the key leaders. East York, for its size, was one of the most highly mobilized, most vocal, most energetic and most committed municipalities in the old city of Toronto to preserving local democracy. The simple reality was that East York had, and does have, a character of its own that it wanted to see preserved, and to a great extent those residents of that municipality express to this day a sense of loss of their ability to shape their destiny, to control their city as they saw fit, to be able to make the com-

munity in their image. Frankly, I understand why they fought so hard and why their representatives were so effective in mobilizing them.

1730

This legislation, as I had an opportunity to say—and it has not been contradicted by the member who is the parliamentary assistant—continues that whole approach of keeping the city of Toronto under the thumb of the province. I have no doubt that the city of Toronto council is happier to get this than to get nothing. There are some things that are given, some advances in administrative control that are useful, and if I was on that council, I would be wanting these things to move forward. But if I was on that council, I would not want to have a hammer over my head over the structure of the government. I would not want to have the ability of cabinet to reach in and change my decisions.

**Mr. Tony C. Wong (Markham):** I'm happy to speak to Bill 53 as the member for Markham, which is adjacent to the city of Toronto.

Let me say this to the members from Beaches–East York and Toronto–Danforth: It may be perceived by some people as not sufficient and not having gone far enough, but when the mayor described this as historic and groundbreaking, it certainly is important to note that the tools we have provided as a province to the city of Toronto are going to empower them to do a lot of things they have never been able to do before. I can say right now that a lot of my colleagues in York region would love to have these powers and tools. To say that we are providing the city with tools does not mean that we are providing them with direct solutions. It is not our job to provide them with those solutions. These are permissive powers, and we know that with these permissive powers, the Toronto council will be able to design and develop the solutions that will be most appropriate and beneficial to the residents of Toronto.

As a member of the GTA, although there may even be a bit of jealousy on the part of York region municipal politicians, I think that a stronger Toronto will certainly lead to a stronger GTA, and York region will benefit in some way as well. We have said oftentimes that pooling is something that is of grave concern to York region, and I think when Toronto is able to do better economically and develop well, with the powers we've given them in the new bill, Bill 53, then the GTA will benefit overall. I am one of the firm believers in not being overly parochial, even when I was a municipal politician. I support this bill because I know Toronto will benefit and so will Markham and York region.

**The Acting Speaker:** It's time for a response. The Chair recognizes the member for Beaches–East York.

**Mr. Prue:** I thank the members from Scarborough Centre, Oxford, Toronto–Danforth and Markham for their comments. They were all quite constructive and to the point, so that's very good.

To the member for Scarborough Centre, I would acknowledge that the mayor of Toronto is anxious about certain parts of this bill; there is no doubt. My own col-



leagues, my own representatives—Janet Davis in ward 31, which is the East York portion of Beaches–East York, and Sandra Bussin, who represents the Beaches portion of Beaches–East York—have both talked to me, and they are largely in favour of this bill. And when I go around and meet members of Toronto city council, I get much the same reaction, because some of what is contained in the bill is good.

What causes me grief and what causes me fear is that the province continues to have an override. Should the municipality not behave in restructuring its council in a way that is acceptable to the Lieutenant Governor in Council, i.e., the cabinet, then the Lieutenant Governor in Council can override and impose a system upon the city of Toronto. Do I think this government is going to do that? I don't know, but I want to tell you that another government, should you not be elected in the next election, might very well do so, because they've done it before. You are setting up a system so that at any time in the future any cabinet can turn around and restructure the city of Toronto in a way that its politicians and its people do not want.

That causes me considerable grief in a bill like this. The city may see it and grab it as a potential short-term gain, but the long-term pain may be there for many years. The people have been frozen out of the process, and have been frozen out for the last eight years. They will continue to be frozen out unless we can devolve it, unless we can make it more community based. We do not need a strong mayor system; the opposite, we need a strong mayor and council to do it right.

**The Acting Speaker:** Further debate?

**Mrs. Munro:** I appreciate the opportunity to make some comments today about Bill 53. I think all of us understand the value of Toronto, recognize its diversity, the fact that it has the reputation of being one of the leading entertainment districts in North America. It's also a centre of expertise and innovation in education and science. All of these things contribute to a vibrancy in the city that obviously spills over into the province as a whole. In fact, as I consider my remarks today, it occurs to me that the last thing we want is to have what has been referred to sometimes as the hole in the doughnut, and that it is incredibly important to maintain a very vibrant, healthy Toronto.

But when I look at some of the consultation, some of the issues that have been raised by various members of the community at large, I'm concerned about the challenges this bill presents in regard to the vibrancy and the important health that we must have. I'm concerned about the fact that the city continues to have a deficit. We're looking at numbers in the area of \$450 million. Those are very chilling numbers. It is interesting to note how that has been reflected by a number of the groups that have concerns over this.

I'd like to take a moment to look at part of a letter from Judith Andrew, the vice-president of the Canadian Federation of Independent Business. She begins, "We are extremely concerned with the lack of in-depth consul-

tation with stakeholders prior to the drafting" of this legislation—and again, this has primarily to do with the licensing provisions. "It is inconceivable that the province would proceed with a matter of this significance without the necessary analysis, study and consultation with stakeholders on specific policy proposals before legislation is drafted."

She goes on to say, "... the Premier is willing to give Toronto greater authority, even as he worries that the whole plan could go sideways if the mayor and council don't use their new powers wisely. It's a scenario the business community has feared since the plans for the new legislation were announced. Past experience with property taxes, city procurement and municipal regulation have shown small business owners that they can count on unfair treatment from the mayor and council."

It's in those contexts that we need to look as well at the Joint Ontario Business Sector Coalition, the JOBS coalition. They, as well, expressed great concern about the issue around the claim that the city of Toronto needs additional revenue to address any fiscal challenges. In their submission, they said, "We believe it is necessary first to determine whether the alleged fiscal shortfall is real, and then to explore alternatives to increased revenue, e.g., fewer responsibilities, before any governments are given new taxing powers."

**1740**

There are a number of things that I think point to some concerns around the competitiveness and prosperity of the city. Certainly, while there are those who would like to characterize criticisms of this bill as criticisms of Toronto, the opposite is the case: The question of Toronto's competitiveness is extremely vital to all of us. When you look at some of the challenges that have been faced by Toronto in relation to its closest rivals in the economy, of course we're talking about the 905. The costs of doing business in Toronto have been very much higher when compared to GTA competitors. As a result of that, in contrast to the 905, Toronto's job creation numbers have been in negative numbers for a long time and, certainly in terms of job creation, Toronto has long ceased to be the province's engine of economic growth.

I would just take the opportunity in the time that I have to compare Toronto and its commercial tax rate at 3.8% with that of Richmond Hill and Markham in York region at less than 1.5%. I think this gives evidence to the kinds of concerns that people have raised with regard to the economic viability of Toronto.

Obviously, opening up the opportunity in this bill for new taxing powers by the city means that even further dangers exist for very specific areas when we're talking about entertainment and the specific areas of alcohol and tobacco. These are all centring on what is essentially a very competitive and viable part of our economy, and one where Toronto always has to consider its competition: the areas of tourism and culture. So to have put those kinds of things in this bill certainly sends a message of the potential for even greater economic woes. The fact that last year Toronto city council adopted a



plan for a modest rebalancing of the business-to-residential property tax ratios over 15 years does not make for a speedy opportunity for competitors in Toronto, simply because 15 years is not something that small businesses can compete with.

I want to change my focus for the few minutes that remain and refer to the question raised by the member for Toronto–Danforth: the question of Madam Justice Bellamy's recommendations. I'm going to quote from a letter that I received from Guy Giorno, who also made a submission during the hearings on Bill 53. I think his letter is something that we need to consider:

"Madam Justice Bellamy formed her recommendations after hearing from 156 witnesses over 214 hearing days.... These are not idle musings; they are the considered advice of an eminent jurist based on extensive evidence."

He goes on to quote from her report: "The connection between political donations by lobbyists and influence-peddling is obvious. And whether political donations actually translate into inappropriate influence for the lobbyist does not really matter. The public reasonably believes that the connection exists, and this perception alone is enough to chip away at public trust in governments...."

"It should go without saying that lobbyists should not donate other people's money, hiding the identity of the true donor...."

"Also objectionable is for a lobbyist to engage in the practice known as 'bundling,' in which one person bundles together a number of political donations and delivers them to a candidate under one covering letter...."

"Lobbyists might be making contributions not so much to try to influence the politicians, but rather to increase their access to decision-makers. They hope that a councillor may consider an unsolicited proposal from them if their clients donated to a campaign. This is improper influence. It is an attempt to buy a favourable impression and even favourable treatment."

"Unfortunately, as presently worded, Bill 53 probably does not give Toronto sufficient authority to restrict lobbyists' involvement in political fundraising. Bill 53 would not let Toronto implement recommendation 113 of the Bellamy inquiry."

"In committee, Mr. Tabuns proposed an amendment that would confirm the city's power to 'prohibit persons who lobby a public office holder from engaging in fundraising activities on his or her [i.e., the public office holder's] behalf.'"

"Such an amendment would give Toronto the power ... control such influence peddling. It would clearly permit Toronto to implement Bellamy recommendation 113."

"There was very little discussion before the Tabuns amendment was rejected."

I think the point that Mr. Giorno is making is that it is simply wrong to assert that there is an unrestricted constitutional right to lobby a politician for whom one is fundraising or to fundraise for a politician whom one is lobbying.

As you know, Mr. Speaker, we are at third reading. I certainly think that it is open, as it always is, for the government to make changes. It is possible to go to committee of the whole. It is possible to give Toronto this kind of ability which would speak to an important and unfortunate past in Toronto city council.

**The Acting Speaker:** Questions and comments?

**Mr. Prue:** I would like to congratulate the member from York North for the statement that she had to make. In fact, this is a huge issue. This government had an opportunity earlier last year. The city of Toronto requested companion legislation that would have made it very difficult to accept both union and corporate donations. They lobbied extensively, having passed two separate bylaws and two separate requests before the city of Toronto to send it up to the province to have that changed.

The city of Toronto councillors and the mayor are very mindful of the fact of the kind of influence that lobbyists can have over municipal politicians. The money is huge in terms of municipal politics. One only has to see some of the printed reports that came out in the paper last week about municipal politicians, not only in Toronto but in the Toronto area, and where the bulk of the finances for campaigns is coming from.

The city of Toronto council understood that. Perhaps the other ones understand it as well. Some of the councillors and some of the mayors are showing that 97% of the revenue they are accepting in donations for municipal campaign purposes is coming from developers and from people who are lobbyists, people who are looking for favours.

Mr. Giorno is absolutely right in the quote. There is no proof that you simply give money and a favour is going to be given, but in politics this certainly does tarnish the image. It certainly does tarnish people's image when they see—and they see a direct link between the thousands—the \$2,000 or \$5,000 donation on the one hand and access to the mayor and council and to legislation that flows. I would think that this government should be doing everything they can to stamp out that process.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I just wanted to say that Bill 53 is perhaps one of the heaviest bills we've had since I've been here. It's quite a lot of legislation. I think it does weigh close to a kilo. Basically, I think it's about time that we have a fair relationship between Ontario and its biggest city. This bill does that. We've heard from other speakers earlier, and I'm glad to support the government today.

**1750**

**Mr. Tabuns:** I was very appreciative of the comments of the member from York North. The thing I'm still mystified by is why this government would not take advantage of those amendments. There's no question that we saw what happened with the city of Toronto when lobbyists were allowed to run as wild as they would like, when lobbyists were allowed to engage in activities that everyone in this House would find to be objectionable. I find it completely beyond me why this government,

having seen the outcome of the MFP experience, having read the documents produced by Madam Justice Bellamy, would not in fact go forward and adopt the full suite of recommendations so we could prevent a repetition of this from happening in the future.

I think that is a question that will come up the next time there's a scandal, the next time there's a profound problem in Toronto, Newmarket, Markham, Oshawa or Whitby: Why has the government not taken the action it could take when the opportunity presented to constrain the power of lobbyists in their dealings with municipal politicians?

We know that the government will apply the experience it gains from this legislation to other cities. It has had the opportunity in this bill to constrain lobbyists, to reduce influence peddling, to make sure that things operate in a way that the people of this province expect them to operate.

I want to thank the member for speaking out and making those points.

**The Acting Speaker:** The Chair recognizes the member from York North for a response.

**Mrs. Munro:** I want to thank those who responded. I guess the point to be understood is that a prosperous city is what everyone wants. A prosperous city and initiatives that raise the quality of life are paramount, but so is the kind of legislative environment, regardless of the weight of the bill, but more importantly, the taking of advice from people such as Madam Justice Bellamy. Those are the two things that I think are the keys to the future of a strong Toronto.

**The Acting Speaker:** Are there any other honourable members who wish to participate in the debate? Reply of the minister or the parliamentary assistant?

The Honourable Mr. Gerretsen has moved third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I received notice from the government whip: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Gerretsen for the third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto, be deferred until deferred votes on Monday, June 12, 2006."

**Hon. Mr. Caplan:** I move adjournment of the House.

**The Acting Speaker:** The deputy government House leader has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until Monday, June 12, at 1:30 of the clock.

*The House adjourned at 1755.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Brotten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior- Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins-Baie James	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Tabuns, Peter (ND)</b> <b>Marchese, Rosario (ND)</b> <b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Ottawa–Orléans	McNeely, Phil (L)	Toronto–Danforth	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Trinity–Spadina	Elliott, Christine (PC)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	Zimmer, David (L)
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Peterborough	Leal, Jeff (L)	Willowdale	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	Munro, Julia (PC)
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	Sergio, Mario (L)
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York North / York-Nord	
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale–High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## OTHER BUSINESS

### Visitors

Ms. Marsales .....	4451
Mr. O'Toole .....	4451
Mr. Kormos .....	4451
Mr. Dunlop .....	4452

### Business of the House

Mr. Caplan .....	4469
------------------	------

## TABLE DES MATIÈRES

**Jeudi 8 juin 2006**

### AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

<b>Loi de 2006 modifiant des lois en ce qui a trait à la protection contre l'incendie, projet de loi 120, M. Prue</b>	
Adoptée .....	4448

#### PREMIÈRE LECTURE

<b>Loi de 2006 sur l'accès équitable aux professions réglementées, projet de loi 124, M. Colle</b>	
Adoptée .....	4452
<b>Loi de 2006 sur la Commission ontarienne du marché du travail, projet de loi 125, M. Hampton</b>	
Adoptée .....	4452
<b>Loi de 2006 sur le commissaire à la protection des emplois, projet de loi 126, M. Hampton</b>	
Adoptée .....	4452
<b>Loi de 2006 modifiant la Loi sur les normes d'emploi, projet de loi 127, M. Hampton</b>	
Adoptée .....	4452

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

#### Compétences des immigrants

M. Colle .....	4453
M. Ruprecht .....	4454
M <sup>me</sup> Scott .....	4455
M. Prue .....	4456

#### Programmes d'enseignement à l'enfance en difficulté

M <sup>me</sup> Papatello .....	4454
M. Dunlop .....	4455
M. Prue .....	4456

#### TROISIÈME LECTURE

<b>Loi de 2006 créant un Toronto plus fort pour un Ontario plus fort, projet de loi 53, M. Gerretsen</b>	
Vote différé .....	4484

# CONTENTS

Thursday 8 June 2006

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Ontario population</b> , private member's notice of motion 15, <i>Mr. Chudleigh</i>	
Mr. Chudleigh.....	4431, 4439
Mr. Berardinetti .....	4432
Mr. Ouellette.....	4433
Ms. Horwath .....	4435
Mr. Ruprecht.....	4437
Mr. Hardeman.....	4437
Mr. O'Toole.....	4438
Agreed to .....	4447
<b>Fire Protection Statute Law Amendment Act, 2006</b> , Bill 120, <i>Mr. Prue</i>	
Mr. Prue.....	4439, 4447
Mrs. Jeffrey.....	4440
Mr. Hardeman.....	4441
Mr. Ruprecht.....	4442
Ms. Scott.....	4443
Ms. Horwath .....	4444
Ms. Smith.....	4446
Agreed to .....	4448

## MEMBERS' STATEMENTS

<b>Mabel Read</b>	
Mr. Ouellette.....	4448
<b>Events in Brampton</b>	
Mrs. Jeffrey.....	4448
<b>Youth services</b>	
Mrs. Munro.....	4448
<b>Hamilton waterfront trail</b>	
Ms. Marsales.....	4449
<b>Ontario economy</b>	
Mr. Chudleigh.....	4449
<b>Willis Blair</b>	
Mr. Prue.....	4449
<b>Portuguese Canadian community</b>	
Mr. Fonseca .....	4449
<b>Insurance rates</b>	
Mr. Ruprecht.....	4450
<b>Heather Crowe Award</b>	
Mr. McMeekin.....	4450
<b>Doris Sterling</b>	
Mr. Sterling.....	4450

## REPORTS BY COMMITTEES

<b>Standing committee on finance and economic affairs</b>	
Mr. Hoy .....	4451
Report adopted.....	4451
<b>Standing committee on general government</b>	
Mrs. Jeffrey.....	4451
Report adopted.....	4451

## FIRST READINGS

<b>Fair Access to Regulated Professions Act, 2006</b> , Bill 124, <i>Mr. Colle</i>	
Agreed to.....	4452
<b>Ontario Labour Market Board Act, 2006</b> , Bill 125, <i>Mr. Hampton</i>	
Agreed to.....	4452
Mr. Hampton .....	4452
<b>Job Protection Commissioner Act, 2006</b> , Bill 126, <i>Mr. Hampton</i>	
Agreed to.....	4452
Mr. Hampton .....	4452
<b>Employment Standards Amendment Act, 2006</b> , Bill 127, <i>Mr. Hampton</i>	
Agreed to.....	4452
Mr. Hampton .....	4452

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Immigrants' skills</b>	
Mr. Colle .....	4453
Mr. Ruprecht .....	4454
Ms. Scott .....	4455
Mr. Prue .....	4456
<b>Special education</b>	
Ms. Pupatello.....	4454
Mr. Dunlop.....	4455
Mr. Prue .....	4456

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Runciman .....	4456
Mr. Kwinter.....	4457, 4460
Mr. Chudleigh .....	4457
Mr. Ramsay .....	4457
Mr. Dunlop.....	4460
<b>Employment</b>	
Mr. Hampton .....	4458, 4459, 4460
Mr. Sorbara .....	4458, 4459
Mr. Bentley .....	4461
<b>More to Discover fun pass</b>	
Mr. McMeekin .....	4461
Ms. Di Cocco .....	4461
Mr. Bradley .....	4461
<b>Waste diversion</b>	
Ms. Scott .....	4462
Ms. Broten.....	4462
<b>Softwood lumber</b>	
Mr. Bisson.....	4462
Mr. Ramsay .....	4462
<b>Human rights system</b>	
Ms. Matthews.....	4463
Mr. Bryant.....	4463

## Natural resources program funding

Mr. Miller .....	4463
Mr. Ramsay .....	4463
<b>Youth services</b>	
Ms. Horwath .....	4464
Mrs. Chambers.....	4464
<b>Assistance to disabled students</b>	
Mr. Zimmer .....	4464
Mr. Bentley.....	4464
<b>Ontario economy</b>	
Mr. Chudleigh.....	4465
Mr. Takhar .....	4465
<b>Addiction services</b>	
Mr. Bisson .....	4465
Mr. Ramsay .....	4465
<b>Water quality</b>	
Mr. Berardinetti .....	4466
Ms. Broten .....	4466

## PETITIONS

<b>Long-term care</b>	
Ms. Scott.....	4466, 4469
Mrs. Munro .....	4468
Mr. Sergio.....	4468
Mr. Hardeman .....	4469
<b>Workplace harassment</b>	
Ms. Horwath .....	4467
<b>Community mediation</b>	
Mr. Sergio.....	4467
<b>Ontario SPCA</b>	
Mr. Dunlop .....	4467
<b>Labour unions</b>	
Mr. Berardinetti .....	4468
<b>Speech and language services</b>	
Mr. Hardeman .....	4468
<b>Rent regulation</b>	
Mr. Berardinetti .....	4468
<b>Home care</b>	
Mr. Sergio.....	4469

## THIRD READINGS

<b>Stronger City of Toronto for a Stronger Ontario Act, 2006</b> , Bill 53, <i>Mr. Gerretsen</i>	
Mr. Tabuns... 4470, 4477, 4481, 4483	
Ms. Wynne.....	4476
Mrs. Munro.....	4476, 4482, 4484
Mr. Prue.....	4477, 4481, 4483
Mr. Qaadri .....	4477
Mr. Duguid .....	4480
Mr. Hardeman .....	4481
Mr. Wong.....	4481
Mr. Berardinetti .....	4483
Vote deferred .....	4484

Continued overleaf





No. 88A

N° 88A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 12 June 2006**

**Lundi 12 juin 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 12 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 12 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SPECIAL EDUCATION

**Mr. Frank Klees (Oak Ridges):** Last week, the Minister of Education announced that the government is making new investments in special education reforms. After five months of sitting on the so-called special education transformation report, the government finally found time to share it with the people of Ontario. It is unfortunate that once again they are throwing money out the door in an attempt to alleviate the guilt of not living up to their commitments.

I commend the hard work of the advisory panel and all their time and effort to provide this government with the advice to help students in Ontario with special needs. But sadly, the government has made very little in the way of true commitments. The minister was short on detail as to how the government plans to ensure that funds are in fact used to help children with special needs. Again, this minister has left parents in the dark.

There are countless examples of school boards being forced into siphoning special education funds to fill gaps in other parts of their budgets. What is needed is for this government to adequately fund the new programs and commitments they announce with such fanfare. But they continue to fall short. Today's announcement by the minister, spun as a giant step toward transforming the funding formula, just perpetuates the government's habit of new targeted funding commitments while ignoring the growing funding crisis in school boards across the province. We call on this minister to assume her leadership responsibility. Stop campaigning, get on with—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### EVENTS IN PICKERING-AJAX-UXBRIDGE

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise today to have the opportunity to speak about a couple of events that took place this past weekend in my riding of Pickering-Ajax-Uxbridge. First, I had the opportunity to attend yet again the Pickering Frenchman's Bay Festival—its 15th. The festival is held annually at Millennium Square on the Pickering waterfront, and it's organized by

a community group to bring awareness and celebration to the beautiful and historic nature of the area around Frenchman's Bay.

The festival is organized by a volunteer-driven community who are very grateful to its many sponsors. I want to take this opportunity, though, to thank some of the volunteers personally, the organizers in particular: Dave Johnson, Barbara Jones, Maggie Blanchard, Sylvain Trepanier, Linda Royhall, Joe Cagginiello, Paul Murphy and Lori Murphy. Their dedication to the annual festival continues to bring our local community together. I want to congratulate them on a job well done.

Secondly, I want to congratulate the town of Ajax on their Home Week celebration. This is the town's opportunity to thank the wonderful citizens of Ajax, as well as the supportive business communities, for all their efforts over the years. This year marks the 36th annual Home Week. I want to commend all the organizers and participants on a wonderful celebration of community. In particular, congratulations to Ajax Councillor Joe Dickson, the founding chairman; and this year's chair, Ajax Councillor Shaun Collier. Their hard work needs to be recognized. Next week, the whole town will be showing up for the gigantic fireworks display at Rotary Park on the lakefront to culminate the whole week's events.

#### AIR QUALITY

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** Today we all saw the Lakeview generating station towers in Mississauga demolished. On March 26, 2001, Elizabeth Witmer and the Ontario Progressive Conservative government announced a comprehensive plan to improve air quality in Ontario. This plan for cleaner air and healthier communities was announced after a thorough review of the coal-fired plants. The plan imposed strict emission limits and required the Lakeview generating station to cease burning coal by April 2005. Thanks to the work of former environment minister Elizabeth Witmer, MPP Kitchener-Waterloo, and the work of the previous government, I am pleased to see that Ontarians will be breathing easier. We all owe her a debt of thanks for her foresight.

In recent months, the Liberal government has backed off their proposed timelines for coal plant closures from 2007 to 2009, and now we find out that they've backed away yet again. The Liberal government has been breaking promises and revised promises on a regular basis. At least they are honouring the hard work of Elizabeth Witmer by keeping the promise she made.

In the GTA, next to cars, the Lakeview generating station was the greatest contributor to poor air quality. It was not an NDP government, it was not a Liberal government but a Progressive Conservative government that led to its closure. When we look back at the McGuinty government's accomplishments, all we see is a track record of hot air, empty rhetoric and the fact that most smog days in any given year in our history were under the McGuinty government. Some legacy to leave.

### PETERBOROUGH ATTRACTIONS

**Mr. Jeff Leal (Peterborough):** I rise today to invite my colleagues, their families and friends to come to Peterborough this summer to enjoy the many activities being promoted by the Greater Peterborough Area Economic Development Corp. through Peterborough and Kawartha Tourism. Whether looking to go back in history and visit Lang Pioneer Village or attend the Art Gallery of Peterborough's summer events, you'll find attractions that appeal to young and old.

Our local farmers' market, located at the corner of Lansdowne and Roger Neilson Way, promotes locally grown produce, arts and crafts. Come and visit Kawartha Downs, the home of harness racing in our area, or try your luck at the Slots Casino. Why not relax on a Sunday afternoon while you're entertained by the Voices of Spring concerts, or walk down memory lane on Cruise Nights amongst the wide displays of classic automobiles.

The Havelock Jamboree attracts over 100,000 visitors to a part of my riding every year for a week, showing outstanding country entertainment from the United States and Canada. I'd be remiss not to mention the Festival of Lights, which is preparing to entertain visitors and residents of Peterborough with an outstanding list of talented acts. These concerts are presented without cost to those who wish to attend.

Peterborough comes alive during the summer, with tourists boating on the Trent-Severn waterway, experiencing summer theatre, golfing and camping, all promoted by our excellent tourism department.

I urge everyone to visit Peterborough and the Kawarthas this season. I promise you that you won't be disappointed.

1340

### ELECTRICITY SUPPLY

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** Over the last few days, the people of Ontario have been given a small glimpse of just how bad this government is when it comes to the energy situation. As early as tomorrow, we can expect to hear the government's response to the Ontario Power Authority's supply mix advice report. On December 9, 2005, the energy minister committed to responding to the report within 60 days; it has now been over 180 days. In a time of crisis, the McGuinty Liberals can't even meet their own commit-

ment to respond to a report whose outcome they had basically dictated.

You see, Dalton and Dwight told the Ontario Power Authority that they could not consider coal in the report because the Liberals were going to shut down the plants by 2007. Well, last week, the government had to accept that the jig was up. They can't shut them down as they promised. What would be laughable, if it wasn't so serious, is that we've been telling them this since day one.

What is truly sad is that Dwight Duncan's reaction to the news was that he was shocked. Where has he and the entire McGuinty gang been? All along, objective energy stakeholders have maintained that the promise was pure politics and was totally undoable. I guess McGuinty thought he could just stick to his messaging and hoodwink the people one more time. Shame on you, Dalton.

Ontarians need energy, and from their government they expect competence and integrity. In Dalton McGuinty's Ontario, all three are in short supply.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, on a point of order. Two things: First of all, "hoodwink" is inappropriate language and the member knows it. Second, I thought we were supposed to use riding names or titles or something like that. This just went overboard with using the so-called familiar names, I thought. I usually don't say anything about these, but "hoodwink" is a little hard to take.

**Mr. Frank Klees (Oak Ridges):** Mr. Speaker, on the same point of order: With all respect to the House leader, I think that if we look at statements made by members in the past, the member's statement is very consistent with the way that he positioned his remarks. I feel that this message from the member has just struck too close to home, and that's why he's objecting.

**The Speaker (Hon. Michael A. Brown):** I would ask the member if he would withdraw the offending word.

**Mr. Yakabuski:** Is it offending, Speaker? Is it a word that must be withdrawn? It's not allowed in this Legislature?

**The Speaker:** I'd ask you to withdraw the word.

**Mr. Yakabuski:** I withdraw.

### HERBERT AND LUCILLE PRUE

**Mr. Michael Prue (Beaches-East York):** I rise today to celebrate two wonderful people. This week they will be celebrating 60 years of marriage together. I'm speaking of no one other than my own parents: my father, Herbert Norman Prue, and my mother, Lucille Marie Prue, neé Sullivan. They married 60 years ago this very Thursday, on June 15, 1946, at the Kew Beach United Church, right in my own riding of Beaches-East York.

My father was 18 in 1939 when he was called away to war, like so many young people, and he came back five years later, in 1945. My mother was still waiting for him and they got married in 1946.



Of course, it was a very difficult time for a family. It was very difficult to find housing, and they lived in many places in and around Toronto, but they fashioned a good life. They had three sons, and today they are the proud grandparents of four grandchildren: Willow, Courtney, Stephanie and Gregory Prue. They're all in university or have finished university and are doing quite well.

In the last 25 years, they have lived in the Bancroft area, in the highlands of Hastings, and today they live in a little town called Cardiff, where they have many friends and neighbours who I'm sure are going to come out to celebrate with them.

I want to take this opportunity to publicly thank them and to wish them a happy 60th anniversary. I promise I'll be up to see them on Saturday.

#### PHILIPPINES INDEPENDENCE DAY

**Mr. Tony Ruprecht (Davenport):** June 12, today, is a very special day in the history of the Philippines: independence day of the Philippines 108 years ago. This independence day was won by many sacrifices. Many colonial masters tried to subject the Philippines to slavery, but they did not succeed. Why? Because Filipinos passed on the torch of freedom from one generation to the next. We know that even today's generation, who are here with us today in the gallery, bear the battle scars of the fight for democracy. Anyone over 20 years old remembers what happened in the Philippines not too long ago. They are here today to celebrate this special anniversary and to try to help us as well. Even indigenous dictatorships tried to steal freedom from the Philippines, but they were not successful.

What do these Filipinos really want? They want to determine their own future and structure their own destiny. That's all they want. Even today, as we remember, they were in the forefront when Ontario battled SARS. The Filipino people were there at the very beginning in the forefront, in the firing line, when we were battling SARS.

Today is a special day, and I wish to congratulate them. With us today to help us celebrate this very special day are: Consul General Mosquera, Consul Banares, Mel Catre, Ricky Castellvi and many other Filipinos. Congratulations, Filipinos.

Mabuhay ang Filipinas.

#### EMPLOYMENT

**Ms. Deborah Matthews (London North Centre):** I'd like to take a moment to recognize the hard-working and innovative people of Ontario, the people who created 34,000 jobs in the month of May. That 34,000 jobs is the highest monthly gain in this province in almost four years, and it helped push the unemployment rate in Ontario down to 5.9%, the lowest rate in five years. This brings the total number of jobs created since that important and historic month of October, 2003, to 288,000. That is something that everyone in Ontario should be happy

about, and they are. Well, not everyone; everyone except the Tory caucus. The members opposite would prefer that people of this province thought that the Ontario economy was headed the wrong way.

In fact, in a press release issued on Thursday, the member for Halton claimed, "There are 76,000 fewer jobs in Ontario than one year ago." The member is dead wrong. He might not like it, but the Ontario economy is headed in the right direction. It might not suit the opposition, but Ontario's economy is doing very well. There's no question there are challenges ahead, but this province is very well positioned to handle those challenges.

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: I believe I mentioned that the 76,000 jobs were manufacturing jobs—

**The Speaker (Hon. Michael A. Brown):** That is not a point of order. Sit down. It is not a point of order.

**Mr. Brad Duguid (Scarborough Centre):** I'd like to take a moment to comment on what I can only refer to as comic relief provided by the leader of the third party, Howard Hampton, last Thursday, and I'm not talking about the Spring Fling.

Last week, in a news release, the leader of the third party said that the NDP believes "in a good job for everyone—because a good job is the best way to make sure working women and men share Ontario's prosperity."

That's right. Howard Hampton was right when he said that. But he pursued policies that saw over a thousand jobs lost a month, and he's claiming that he's now all about good jobs for everyone. Howard Hampton, who watched as 14 paper mills closed, the unemployment rate averaged over 10% and 10% of the industrial jobs in Ontario were lost, is claiming that he thinks that everyone deserves a good job.

Given their poor record, the NDP is the last place this government should look to for advice on job creation. Fortunately for the leader of the third party, I'm going to set the record straight. In contrast to—

*Interjections.*

**The Speaker:** Order. I'm going to need the member for Timmins-James Bay to come to order.

We'll put another 20 seconds on the clock.

1350

**Mr. Duguid:** Thank you, Mr. Speaker. He wasn't bothering me a bit.

Fortunately for the leader of the third party, I'm going to set the record straight. In contrast to his sorry record, the McGuinty government is pursuing policies that are helping Ontario's economy grow. As just one example, consider the auto sector. Last week, we saw the official opening of the Hino Motors truck plant in Woodstock. This is the latest announcement in a series that has seen the McGuinty government leverage over \$7 billion in new auto sector investments in the last two years, and the results are showing 34,000 jobs created in May and 288,000 jobs since October 2003, because unlike the NDP the McGuinty government's commitment to a good job for everyone is more than just empty words.



**J. MICHAEL FORRESTALL**

**Ms. Lisa MacLeod (Nepean–Carleton):** On a point of order, Mr. Speaker: As you know, I am a member from the national capital region, which, by virtue of the fact that we house Parliament there, is every Canadian's second hometown. No Canadian called Ottawa his second hometown more than the Honourable J. Michael Forrestall, the longest-serving Progressive Conservative parliamentarian in all of Canada, who died last Thursday.

When I awoke Friday morning, he was more than a headline to me; he was a philosopher who taught me what it meant to be a Progressive Conservative. He was a mentor to me and he was like a father to my husband.

I know parliamentarians across Canada will be tributing him this week, and I just wanted to add my voice to that tribute.

**REPORT, OFFICE OF THE INTEGRITY  
COMMISSIONER**

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that I have today laid upon the table the report of the Integrity Commissioner concerning his review of the expense claims under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act, 2002, for the period April 1, 2005, to March 31, 2006.

**REPORTS BY COMMITTEES****STANDING COMMITTEE ON THE  
LEGISLATIVE ASSEMBLY**

**Mr. Bob Delaney (Mississauga West):** I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2006, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts.

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

**Mr. Delaney:** I beg leave to present a report on members' use of portable technologies in the legislative precincts from the standing committee on the Legislative Assembly and move its adoption.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Does the member wish to make a brief statement?

**Mr. Delaney:** Speaker, last October you wrote to me as Chair of the standing committee on the Legislative Assembly to ask that the committee review the use of technology in the Ontario legislative precinct.

The practices governing our use of portable technology, which includes cellphones, laptop and tablet computers, the ubiquitous Blackberry and other handheld devices, have evolved through a series of ad hoc rulings by various Speakers over the years.

The committee met numerous times and our subcommittee members consulted our respective caucuses. I would like to acknowledge the ongoing work by and the co-operation and goodwill of our subcommittee members: Ernie Hardeman of the PC caucus; Rosario Marchese and Gilles Bisson of the NDP caucus; and Mario Sergio of the Liberal caucus. As well, our committee clerk for most of that time, Doug Arnott, was invaluable with his patience and suggestions; and our researcher, Peter Sibenik, found every piece of data that we asked for and compiled and organized it for maximum clarity.

Following consultation with our caucuses, discussion of our needs as members, and consideration of the décorum and tradition of the Legislature, our subcommittee and full committee reconciled our conclusions with practices within other legislative precincts in the USA and the Commonwealth. Our conclusions and recommendations for Ontario were remarkably similar to other jurisdictions and are summarized in the report now in your hands.

In the view of the committee, there is much to be said for expanding the tools available to MPPs in the legislative precinct. They can assist us in both chamber and non-chamber responsibilities. Our technological tools can also assist us with the type of multitasking we already do from day to day. The tools themselves, such as laptop and tablet computers, are more powerful and compact and, in recent years, less obtrusive. Handheld computers and BlackBerries are already in common use everywhere, and we wanted to formally consider their use as well as extending that use to laptops and tablets. Other parliamentary jurisdictions have considered the same issues before this committee, and we feel that Ontario provincial legislators deserve the same consideration.

The committee recommends that 802.11x wireless protocol, or Wi-Fi for short, be installed in the east and west lobbies, the legislative dining room, the legislative library, the committee rooms and, at the request of each caucus, their caucus rooms. This will enable members and staff access to their caucus network and to its functions on their laptops at times and in places where they might otherwise not have time to work, but also to add something other than a stand-alone application on their laptop or tablet.

With regard to using laptops and tablets in the legislative chamber, the subcommittee and full committee considered this issue at length and recommend that the use of portable technology, which includes notebooks, laptops and tablet computers as well as the current de facto practices regarding handheld computers and BlackBerries, be permitted in the legislative chamber along with Wi-Fi access, subject to the following guidelines and restrictions:



MPPs cannot use obtrusive functions. In simple terms, the unit has to be silent and you can't use such peripherals as printers, scanners, headphones or microphones in the House.

MPPs cannot use any function that would contravene the standing orders, such as recording images or sound.

MPPs may not use their computers at times other than following orders of the day. Permitted time includes private members' time.

Your computer must not be in use—in short, must be covered or closed—when a recorded division is taking place, during the budget or throne speech, or when royal assent is—

**The Speaker:** Member for Mississauga West, you need to quickly summarize the report and then move adjournment.

**Mr. Delaney:** Finally, Mr. Speaker, the standing committee on the Legislative Assembly is willing to exercise its ongoing authority under standing order 106(f) to review any issues that may arise from the matters and recommendations in the report in your hands.

The committee thanks you for the opportunity to reflect on and recommend how members of provincial Parliament in Ontario can better serve the people of our province. We look forward to the implementation of these changes.

I move adjournment of the debate.

**The Speaker:** Agreed? Carried.

## VISITORS

**Mr. Ernie Hardeman (Oxford):** On a point of order, Mr. Speaker: You will be aware that whenever a member of the Legislature has the opportunity to have their family in the gallery, we stand up on a point of order and recognize that family. I just wanted to point out that that option or privilege is not available to our pages. So I wanted to point out that one of our great, illustrious pages, Gregory Borris, who is doing a wonderful job, has his family here. Ken and Joanne Borris from the great city of Woodstock are here to watch the effective work of Gregory as he looks after our needs here this afternoon.

**Hon. Jim Watson (Minister of Health Promotion):** On a point of order, Mr. Speaker: I take a moment to remind members that we are blessed to have a number of Special Olympians who are going to be representing Ontario at the Canada Special Olympic games in Brandon, Manitoba. I'd invite all members—if you do have the time, I know they'd appreciate it—we're hosting a reception in room 228 at 5 o'clock this evening for Special Olympians.

**Mr. Rosario Marchese (Trinity-Spadina):** On a point of order, Mr. Speaker: I did not want to lose this opportunity to introduce a lot of students who are studying ESL. Their teacher, Norm, is here. I'm happy they're here to see and learn about the political process here at Queen's Park. Thank you for coming.

## MOTIONS

### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, June 12, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion number 166. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1401 to 1406.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

### Ayes

Amott, Ted	Fonseca, Peter	Phillips, Gerry
Arthurs, Wayne	Gerretsen, John	Pupatello, Sandra
Balkissoon, Bas	Hardeman, Ernie	Qaadri, Shafiq
Barrett, Toby	Hoy, Pat	Racco, Mario G.
Bentley, Christopher	Klees, Frank	Ramal, Khalil
Bountrogianni, Marie	Kular, Kuldip	Ramsay, David
Bradley, James J.	Lalonde, Jean-Marc	Runciman, Robert W.
Broten, Laurel C.	Leal, Jeff	Ruprecht, Tony
Bryant, Michael	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	MacLeod, Lisa	Scott, Laurie
Caplan, David	Marsales, Judy	Smith, Monique
Chambers, Mary Anne V.	Martiniuk, Gerry	Smitherman, George
Chudleigh, Ted	Matthews, Deborah	Sorbara, Gregory S.
Colle, Mike	Mauro, Bill	Takhar, Harinder S.
Cordiano, Joseph	McMeekin, Ted	Tory, John
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dhillon, Vic	Miller, Norm	Wilson, Jim
Di Cocco, Caroline	Milloy, John	Witmer, Elizabeth
Dombrowsky, Leona	Mitchell, Carol	Wong, Tony C.
Duguid, Brad	O'Toole, John	Wynne, Kathleen O.
Duncan, Dwight	Ouellette, Jerry J.	Zimmer, David
Dunlop, Garfield	Parsons, Ernie	
Elliott, Christine	Peters, Steve	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Horwath, Andrea	Marchese, Rosario	Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 70; the nays are 6.

**The Speaker:** I declare the motion carried.

## VISITORS

**The Speaker (Hon. Michael A. Brown):** I'd like to bring to the attention of the House two gentlemen in the Speaker's gallery. I have the mayor of the township of St.

Joseph, Jody Wildman, and Mr. Rick Hamilton, who is the deputy mayor of the city of Elliot Lake.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### INTERNATIONAL MEDICAL GRADUATES

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Earlier today, it was my great privilege to join our Premier and the Minister of Citizenship and Immigration at a ceremony just a short distance from here, in the great hall of Hart House at the University of Toronto, one of our province's finest institutes of higher learning. The event taking place at Hart House was to recognize and celebrate the contributions foreign-trained doctors are making to Ontario's health care system.

As members of this assembly will know, our government has been extremely active in encouraging foreign-trained doctors, known as international medical graduates, or IMGs, to come to Ontario. We've worked hard to help them put their skills to use for the benefit of the people of Ontario, and our results are paying huge dividends.

More than 200 international medical graduates joined the Premier and others at this event today. The 200 IMGs who joined us represent almost one half of the 460 IMGs currently practising or completing their training. That's 460 more doctors serving Ontarians who are about to begin their practice in underserved communities.

Canada produces terrific home-grown medical talent. Our medical schools are among the finest in the world. But foreign-trained doctors are an important, indeed an essential, way to supplement our supply of doctors, particularly in areas where they are most needed.

That's why our government is investing record amounts of funding in IMGs, making Ontario the leader in Canada when it comes to providing support for their assessment and training. In 2005-06, we invested almost \$40 million for IMG training, assessment and support. That's a 64% increase in funding since we took office in 2003. It helps to provide ongoing support to more than 300 of these doctors.

Of course, we're not doing it alone. Ontario's medical schools and their faculties provide tremendous support for the preparation and training of these international medical graduates. IMG-Ontario and the College of Physicians and Surgeons of Ontario also play vital roles. Our thanks go out to all of them.

More evidence of the success we're having: In 2005, 39% of the medical licences we issued in Ontario went to IMGs. This 39% of licences makes up the single greatest portion of new licences issued, more than for Ontario graduates and more than double the number from 10 years ago.

The progress we're making with international medical graduates truly is good news. It's good news for these doctors, of course, who are finding it easier to practise their profession here in their new homeland, building a better life for themselves and their families. It's good news for our health care system, as great numbers of qualified doctors enter our system, bringing new energy and helping to alleviate shortages. Most of all, it's good news for patients.

One of the three key priorities is providing Ontarians with better access to nurses and doctors. A big part of making this happen is creating more nurses and doctors. By allowing more foreign-trained doctors, such as those who are in the gallery today, to work here, we are improving the lives of countless citizens in every part of our vast province. We're enormously grateful to these doctors, and events like this morning's celebration at Hart House help to us celebrate this remarkable progress that we're making.

I know that all members of the House will join me once again in thanking and celebrating these doctors who have brought their skills, their training, their compassion and, dare I say, their love alongside their expertise to our province for the benefit of our patients and our citizens.

### EDUCATION FUNDING SUBVENTIONS DESTINÉES À L'ÉDUCATION

**Hon. Sandra Papatello (Minister of Education, minister responsible for women's issues):** The McGuinty government has demonstrated throughout our mandate that we not only support our publicly funded education system but we stand for it.

Nous estimons que notre gouvernement et notre province ne peuvent réussir que si les élèves réussissent en premier lieu.

Today I'm pleased to say that students are continuing to benefit from the significant progress made in Ontario's publicly funded system. After years of cuts by the previous government, we're making the tough funding decisions needed to ensure we can invest in our students and schools once again. And we've been investing wisely.

Pour la troisième année consécutive, le gouvernement McGuinty augmente son investissement dans les écoles de l'Ontario financées par les deniers publics, afin de continuer à améliorer les résultats des deux millions d'élèves de la province.

For 2006-07, we're investing an additional \$600 million in education funding, bringing the total—

*Applause.*

**Hon. Ms. Papatello:** I'm glad the Minister of Finance is applauding with such gusto.

We're investing an additional \$600 million, bringing the total funding for our school boards to \$17.5 billion.

Today's increased investment will support key government targets for higher student achievement, including



seeing 75% of 12-year-olds achieving the provincial standard in reading, writing and math by 2008, as well as 85% of high school students graduating by 2010.

Specific funding to support these priorities includes:

- \$95 million for 1,200 more primary teachers, so our youngest students benefit from more individual attention;
- an additional \$71 million for 980 specialist teachers at the elementary level in areas such as music, physical education and the arts—this is great news;

- an additional \$19 million for 300 more student success teachers to help struggling high school students;

- \$10 million more in additional support for French-language boards; and

- \$500 million for repairs and renovations in our schools.

I was very pleased today to attend Church Street Junior Public School in the great riding of the Minister of Health. I visited with a grade 5 class today who talked to me and taught me about monarch butterflies. What a wonderful class, led by a magnificent teacher, who could roll the whole story of the flight, the development, the growth and the birth of monarch butterflies into their curriculum. What a tremendous class, under the leadership of Principal Judy Gillis.

Major achievements in student performance were made in the 2005-06 school year that reflect the significant impact of this government's education investments. In 2004-05, an average of 62% of Ontario students met or exceeded provincial standards in reading, writing and math, up from the average of 54% who achieved that level in 2002-03. This is a remarkable improvement. High school graduation rates also rose to 71%, up from 68%.

These achievements demonstrate that this government's targeted education investments and strategies are working, producing positive outcomes for our students. Our commitment to invest in an outstanding public education system remains unwavering. And today I am reforming the education funding formula to increase transparency and accountability. We have heard so much about the formula, dating back to 1998; it really was time.

Les changements annoncés aujourd'hui signifient que les Ontariennes et les Ontariens sauront exactement comment l'investissement du gouvernement sera bénéfique directement aux élèves.

That transparency is very important. The new funding model will also provide targeted funding towards principals, vice-principals, secretaries and school supplies for every school across the province, no matter how small. We're moving a significant part of our formula from an enrolment-based formula to a school-based formula, and this is a key to the formula change. For the first time in almost a decade, it will target funding for teachers' salaries that reflect actual costs.

In addition, there will be \$200 million more in 2006-07 outside the grants for student needs that will target improved literacy and math levels, French-language programs, professional development for teachers

and principals, student success initiatives, parent engagement and safe and healthy schools.

I think it's fair to say that we have made great progress in the system. We will continue to do so by delivering the necessary resources to help all Ontario's publicly funded schools help our students reach their full potential.

## ONTARIO WINE WEEK

**Hon. Gerry Phillips (Minister of Government Services):** I'd like to inform the members that today marks the beginning of Ontario Wine Week—an idea, by the way, from my colleague the member from Essex. A number of events will be held here in Toronto and throughout wine country this week to recognize and celebrate the importance of our wine industry and the people who work so hard to make it so successful.

This industry is a vital economic driver here in Ontario. It was just last month that KPMG released a study commissioned by the Wine Council of Ontario. It indicates that the Ontario wine industry supports more than 5,600 jobs and generates nearly \$300 million in additional economic value for the province.

### 1420

Back in 1990, the concept of winery tourism was a new one. Today, it's a booming industry, as we all know, with 750,000 tourists visiting Ontario's wine region each year. The Wine Council of Ontario has established a very popular interactive guide to Ontario's wine route. It provides maps, event listings and a guide to attractions to help people plan their trip to wine country. The Wine Council also develops an events guide each year, with wineries offering special activities during the summer months. And the industry has expanded the grape and wine festival and added new spring and winter events to celebrate excellence in the industry.

With summer fast approaching, I think most Ontarians are planning their holidays. If you are looking to get away for a few days, what could be better than a trip to wine country? It is a truly wonderful experience that combines some of Ontario's most beautiful regions and some of the world's very best wines. Ontario's many wineries offer amazing tours of their vineyards, insight on how these fantastic wines are produced and a warm and hospitable staff always happy to make you feel right at home. Each area of wine country—whether it's Prince Edward county, the Niagara Peninsula or Lake Erie and Pelee Island—offers its own unique experiences, natural beauty and excellent wines. Visit the Wine Council of Ontario's website at [www.winesofontario.org](http://www.winesofontario.org) for all the information you need to plan your trip.

If you just don't have the time to get away, you can still experience a little bit of wine country by asking about Ontario wines at your local LCBO. With friendly staff, the LCBO is knowledgeable and can recommend some fine Ontario wine selections.

As the minister responsible for the VQA legislation and wine strategy, it's my pleasure to work with our award-winning industry.



Our government has an interest in ensuring Ontario's grape and wine sector continues to prosper. Back in 2004—I think the Legislature will remember—we made a commitment to support the wine industry, focusing on VQA wines, with a \$10-million commitment over five years. In June 2005—last year—the VQA Ontario board approved the addition of 12 sub-appellations within the Niagara Peninsula's grape-growing region. These sub-appellations are areas that are unique because of their soil, climate and topography. Each area gives its grapes a special character. Consumers are becoming more aware of this, and the sub-appellation is a good idea. We amended a regulation under the Vintners Quality Alliance Act to identify the sub-appellations and give official status to these regions.

In September of last year, we introduced a package of initiatives to address, as you recall, the 2005 grape short crop, including a regulation change to the Wine Content and Labelling Act. The package had a number of benefits for our grape and wine industry, including, importantly, a three-year pricing agreement for grapes and clarity for the consumer in terms of signage at the LCBO, resulting in a new shelving strategy introduced in April 2006.

Most recently, in the budget, the government announced an additional commitment of \$5 million to the sector for 2006, including \$3 million for Ontario's small- and medium-sized producers of VQA wines, \$1 million for advanced research into hardier grape varieties and \$1 million for further marketing support. These are just a few of the ongoing government initiatives that show we are on the side of Ontario businesses, particularly our small wineries and entrepreneurs.

With the support of the Legislature, the wine industry is continuing to take steps to build upon what is truly a made-in-Ontario success story.

#### EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** In response to the statement by the Minister of Education, we join her in commending the students in Ontario for their improved results in reading, writing and mathematics. Of course, what the minister didn't do was credit the previous government with putting in place the standardized testing that allows us to know how our students are doing. What she also didn't—

*Interjections.*

**The Speaker:** Stop the clock. The Attorney General will come to order.

**Mr. Klees:** As I say, what she failed to do was to credit the previous government with putting in place standardized testing in this province—standardized testing that the honourable member voted against, as a matter of fact, when she was in opposition. The only way that we have of knowing how our students are doing, and the fact that they are doing so well, is not so much a credit to what this government has done but to the standardized curriculum and the standards that the previous government had put in place. So let's give credit where credit is due.

The Minister of Education's announcement today not only falls short of addressing the funding costs of school boards across the province; they are actually making it worse. The problem with this government is that they continue to make new announcements without the appropriate funding to support them. Once again, this minister today has failed to address the problems of the funding formula, that they are not up to where the commitments are that this government has made: four-year contracts and new announcements made by the previous Minister of Education without adequate funding. Now we have \$600 million announced today, but in addition to that, additional targeted programs that will further drag school boards across this province into a deficit.

What we would ask this minister to do is to leave the campaign trail and begin the responsible job of managing as the Minister of Education. If she thinks this is a giant step forward, we don't want to see her next step.

#### INTERNATIONAL MEDICAL GRADUATES

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I was pleased today to spend my lunch with some of the people from my community who are part of the international medical graduate program: Dr. Sharieff, Dr. Pandit and Dr. Rahil.

Again I would have to say that the Minister of Health was remiss. He did not acknowledge that it was our government which, after the McKendry and George report, identified the fact that there was a shortage of doctors. We put in place measures which expanded the assessment program, the training program and the placement program. Many of the international medical graduates today are there as a result of the expansion of the initiatives that we put in place. I'm very pleased that this government has continued to build on those initiatives and that we continue to make sure that IMGs can be fast-tracked into practice.

However, I think we also need to be cognizant of the fact that we have a worldwide shortage today of health professionals, whether it's doctors or nurses, and it's important that we continue to invest and expand our own programs in our province in order that we can educate more doctors and more nurses in order that we can respond to the needs of our population.

#### ONTARIO WINE WEEK

**Mr. Tim Hudak (Erie-Lincoln):** I congratulate my colleague from Essex on bringing forward his private member's bill for Ontario Wine Week and I thank the minister for the opportunity to respond.

We should, though, at the same time that we're celebrating Ontario's outstanding award-winning wines, recognize that Ontario VQA wine sales are actually in decline relative to the increase in foreign brands at the LCBO. The market share of VQA wines is shrinking at the LCBO under the McGuinty government. Who can



forget the "French Rabbit" campaign: between half a million to a million dollars promoting foreign wine in a box, instead of VQA wine, in an attempt to bribe LCBO employees with trinkets like barbecue sets to sell foreign wine instead of Ontario VQA product? I hope the minister will look into that to make sure that does not happen in the future, and I thank LCBO employees for their very positive comments about the opposition bringing this forward.

Lastly, we do have another private member's bill before the Legislature: the Ontario VQA Wine Stores Act. It has received support from members of all three parties, and I do ask the government to put that for a third and final reading vote so we can open up more market access for our VQA wineries.

**Mr. Peter Kormos (Niagara Centre):** New Democrats are pleased to join in the acknowledgment of Ontario's great and growing and excelling wine industry. It's across Ontario. It's Pelee Island, Lake Erie North Shore and some excellent wines coming out of Prince Edward county. In fact, the winery By Chadsey's Cairns, owned by Richard Johnston, produces some excellent vintages. Of course, down in Niagara where I come from—and I've been to enough events with enough members of this assembly to tell people that not only are members of this chamber advocates of Ontario wine, but they're great consumers of it.

1430

One of the observations that has to be made is that some of the greatest wines in Ontario are being produced by some of the smallest wineries. These small production wineries have incredible difficulty getting shelfage in traditional LCBO stores, and I say that it's time for this government to acknowledge that it's those small vintners, those small wineries with excellent product that deserve a unique venue of their own. It could be done effectively, I say to you and New Democrats say clearly to people in Ontario, by a partnership between the Ministry of Tourism and LCBO in the establishment of LCBO boutique stores across Ontario, especially at tourist destinations and in wine country.

These LCBO-Ministry of Tourism boutique stores would be restricted to stocking wines produced by the smaller wineries, with a limit to the gallonage they produce on an annual basis. This would comply with all of the international trade agreements; would be consistent with all of our commitments to other jurisdictions; and would give those small vintners an opportunity to market their product, expose their product to the Ontario, Canadian and international markets; and, indeed, would fulfill the mandate of the LCBO. It would ensure public ownership, responsible control of the sale and that these small vintners get their share of exposure in Ontario.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** To the Minister of Education, as the critic for the NDP on educational matters, I struggle hard to try to find a way to

applaud any initiative that the Liberals introduce, but it's hopeless. I went today to the local school in George's riding just to check the announcement out, and all we get is a repeat of the announcement I've heard already about \$95 million, 1,200 more primary teachers. I keep on asking this minister, could you prove it? Could you prove that you've actually hired them? They cannot show any evidence because there is none. They want to say, "We are spending \$71 million for 980 new specialist teachers." Prove it. Where are they? They cannot show any evidence for it.

They talk about \$500 million for repairs and renovations; it doesn't exist. These are numbers they create; they do not exist in reality. They're simply announced. Today, the minister says—get a hold of this—"We're changing the funding formula, so that it accurately reflects the cost of salaries," rather than saying, "To get rid of that gap, we are going to put in \$500 million that boards are waiting for in order to not steal from other areas to pay for other things." She didn't come out and say quite accurately or clearly, "This is what we're going to do." They're going to change the funding formula and get rid of the 8.3% gap. It's going to be magical. It will just happen.

**Mr. Peter Kormos (Niagara Centre):** That's horse spit.

**Mr. Marchese:** Yeah, horse something. It just won't happen because the money is not there. It has not been announced.

What is she going to do? She actually goes on to say, "We're going to realign funding"—every time they don't know what to do, they invent these words like "realign funding"—"from two grants," meaning they're going to give for the teachers' gap by taking from the learning opportunities grant. That's the grant of which this minister and Gerard Kennedy used to say, "You've got a problem in a school board? You can just go to the learning opportunities grant. You've got another problem in northern Ontario? Just go to the learning opportunities grant."

Now this minister says, "For the 8.3% gap, you can take from that learning opportunity grant and just apply it to the teachers." What's going to happen to the other programs that we're funding from that program? We're just going to invent a number and we're going to say, "The gap is gone." The gap is with us. The money is not here and it will never be here. It's just a big fabrication by this minister.

#### INTERNATIONAL MEDICAL GRADUATES

**Mr. Rosario Marchese (Trinity-Spadina):** With respect to the Minister of Health, I tell you, when you help a little bit, it means foreign-trained professionals are going to be able to practise. Imagine if this minister helped a little more. More foreign-trained doctors would be able to practise in this country. So I say to you, George Smitherman, put in a little more, so more can practise.

## DEFERRED VOTES

STRONGER CITY OF TORONTO  
FOR A STRONGER ONTARIO ACT, 2006

LOI DE 2006 CRÉANT  
UN TORONTO PLUS FORT  
POUR UN ONTARIO PLUS FORT

Deferred vote on the motion for third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

**The Speaker (Hon. Michael A. Brown):** We have a deferred vote on the motion for third reading of Bill 53. Call in the members. This will be a five-minute bell.

*The division bells rang from 1435 to 1440.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Arthurs, Wayne	Fonseca, Peter	Prue, Michael
Balkissoon, Bas	Gerretsen, John	Pupatello, Sandra
Bentley, Christopher	Horwath, Andrea	Qadri, Shafiq
Bountrogianni, Marie	Hoy, Pat	Racco, Mario G.
Bradley, James J.	Kular, Kuldip	Ramal, Khalil
Broten, Laurel C.	Lalonde, Jean-Marc	Ramsay, David
Brownell, Jim	Leal, Jeff	Ruprecht, Tony
Bryant, Michael	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Caplan, David	Matthews, Deborah	Smitherman, George
Chambers, Mary Anne V.	Mauro, Bill	Sorbara, Gregory S.
Colle, Mike	McGuinty, Dalton	Tabuns, Peter
Cordiano, Joseph	McMeekin, Ted	Takhar, Harinder S.
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dhillon, Vic	Milloy, John	Wong, Tony C.
Di Cocco, Caroline	Mitchell, Carol	Wynne, Kathleen O.
Dombrowsky, Leona	Parsons, Ernie	Zimmer, David
Duguid, Brad	Peters, Steve	
Duncan, Dwight	Phillips, Gerry	

**The Speaker:** All those opposed will please rise one at a time and be recognized.

## Nays

Amott, Ted	Jackson, Cameron	Runciman, Robert W.
Barrett, Toby	Klees, Frank	Scott, Laurie
Chudleigh, Ted	MacLeod, Lisa	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tory, John
Elliott, Christine	Miller, Norm	Wilson, Jim
Hardeman, Ernie	O'Toole, John	Witmer, Elizabeth
Hudak, Tim	Ouellette, Jerry J.	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 58; the nays are 20.

**The Speaker:** I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

## ORAL QUESTIONS

## NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. The media reports from this weekend in Caledonia suggested that an OPP officer stated off camera that they had been instructed not to engage in violent commotion or activity between those occupying the land, other external groups such as the media, local community members and Ontarians travelling through the area. Can you confirm whether or not this is the case, and will you also confirm that no element whatsoever of that instruction has come from your government with respect to how they carry out their duties to protect the public?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I can in fact confirm that. I am not aware of what instructions any particular police officer may have been referencing, but certainly we have not provided instructions of any kind to the Ontario Provincial Police vis-à-vis Caledonia.

May I take this opportunity as well to extend my sympathies to all those affected by last Friday's violence? I know I will be joined—I say this with confidence—by every single member of this Legislature when we condemn those activities of those individuals. I can say as well that we have been negotiating in goodwill and in good faith, but this now makes it very difficult for us to have a basis for continuing discussions, and I will speak to that further in the supplementaries.

**Mr. Tory:** Again to the Premier, Caledonia has undergone more than 100 days of hardship for a conflict you and your government were informed about more than a year ago. Last week and this weekend, the incidents that you spoke about were things that I think shocked people. They saw a newspaper reporter for the Kitchener Record assaulted and robbed as someone held him by the throat and other people rifled through his vehicle. They saw an elderly man having a heart attack after he and his wife had their car stomped on and surrounded. They saw the two CH cameramen, of course, who were assaulted by a group of individuals.

Last week in the House, the Minister of Community Safety referred to an understanding that existed about where the police go or don't go. Who is that understanding with, and what involvement has anyone from your government had, including any public servants, in terms of discussions of that kind of understanding? Who is it with, and who has been involved in discussing it? Has anyone in your government—public servant, politician or otherwise—been involved in discussing such an understanding?

**Hon. Mr. McGuinty:** Again, and I'm not sure I could have been any more clear in my answer to the first question, we have not provided any kind of instruction to the Ontario Provincial Police.

Let me say that we have been negotiating with the First Nations community in good faith. We have estab-



lished an expedited land claims settlement process. We've invited to that table the federal government. We are working as quickly as we can. We have put in place a moratorium on the development lands in question. But I can say that a condition of our being at the table was that public safety would not be compromised. In fact, last Friday it was without a doubt compromised.

I've asked the minister responsible for aboriginal issues to speak with the leadership of the First Nations community involved to relay that we are no longer prepared to continue negotiations until two important conditions are met: First of all, the barricades must come down, and they must stay down; and secondly, we are asking the leadership to co-operate in any way with the Ontario Provincial Police so that they might apprehend the individuals involved.

**Mr. Tory:** I'd like to ask the Premier two questions that arise in part out of that answer. The first question would be, now that the situation is the way it is, might you commit to holding at the appropriate time an independent investigation into what has gone on here so that all of these different understandings and instructions that seem to be floating around from somewhere and all the things that are going on that involve a breakdown of the rule of law can be independently investigated? I think people would take some comfort from knowing that at the appropriate time this will be looked into by someone independent so we'll all know how it went on, why it happened and that it won't happen again.

Secondly, what time limit have you placed on this business of saying that the barricades must come down and that the rule of law must be respected? When have you said this is going to come into effect? It's a new statement on your part. I commend you for it. When, specifically, is it going to come into effect?

**Hon. Mr. McGuinty:** Our government just conveyed this information to the First Nations leadership involved. The leader of the official opposition may know that this morning we issued a joint release, together with the federal government, demanding that the barricades in fact come down. Beyond that, we've also requested that the First Nations leadership co-operate with the Ontario Provincial Police when it comes to the apprehension of the individuals involved.

I can say—and I know I say this on behalf of the people of Ontario—that we will not brook any disagreement with respect to which law applies when it comes to alleged criminal activity. There is one law for all Ontarians and all Canadians when it comes to criminal misconduct, and that's the criminal law of Canada. That's why we're asking the leadership involved in the First Nations community to co-operate with the Ontario Provincial Police in order to ensure that the individuals involved might be apprehended.

**The Speaker (Hon. Michael A. Brown):** New question.

**Mr. Tory:** I could ask a very simple question: Where have you been? You said in your answer a moment ago that when the moratorium was placed on the develop-

ment of the land and when the negotiations were set up and one of the barricades was brought down—I believe I'm right that you said a condition of that deal was that public safety would be respected and the law would be respected. I think you—your government—said that some time ago. Now you're here today saying in no uncertain terms, "Take it from me. We're going to make sure that is the case."

**1450**

So I think it is reasonable to ask you, when? You entered into a deal three or four weeks ago, at which time the first barricade did come down, but all of the incidents we're talking about have happened since then. So I'm asking you again, by what date are you expecting that people will comply with these conditions that were in the old deal so that we can know that the rule of law is going to be restored in Caledonia? When is it going to happen?

**Hon. Mr. McGuinty:** The leader of the official opposition may know that we have been in discussion with the federal government in these matters. That's why we issued the joint release today. We said that it's a matter that is very urgent. We are not going to engage in brinkmanship. We are going to continue to act responsibly. We will do so in co-operation with the federal government, and we've deemed the matter urgent.

**Mr. Tory:** One of the things that has not yet happened is a visit by you to Caledonia, simply to meet with people face to face and really see what's going on there and listen to some of the people who live there and who I think have a combination of frustration, heartache and anger over a lot of these kinds of things.

I would ask you, if it isn't convenient or appropriate for you to go there, would you as premier of this province consider—as part of the dialogue that has to go on and the personal conveyance of the message you've talked about today to all of the stakeholders involved—calling these people in, showing this kind of leadership, to have them into your office to deal with them directly in conveying the message you have conveyed to this House today and make sure there is no misunderstanding, I would suggest with a date by which this is going to happen? Will you do that?

**Hon. Mr. McGuinty:** I think the leader of the official opposition knows that Mr. Levac, a member of the government, is on a community liaison table. He may know as well that Minister Cordiano has had an opportunity to meet with the community. But he will not know that Minister Ramsay met with the First Nations leadership this morning and conveyed this directly. There is no doubt whatsoever in my mind that we have very good channels of communications with the leadership and with the community and we will keep those open on an ongoing basis.

**Mr. Tory:** I'm delighted to hear that the minister finally has had a meeting with those individuals. I would suggest to you, respectfully, that there are other people in that community, because I have talked to them, who would welcome the opportunity to have a meeting as well, both to convey some thoughts they have on this



matter and to be given the same message that you talked about conveying to the First Nations people, because everyone needs to understand that the rule of law is going to prevail. So I would ask you if you would consider asking the minister to do that.

Secondly, I would ask you one more time, as a constructive means of indicating that people will have their chance to be heard and to be listened to by somebody independent going forward, will you commit to having an independent investigation of this matter, this series of matters, including the land claims process and how we can make it better? Will your government commit to do that as a means of trying to further defuse the tension that exists today in Caledonia? Why won't you agree to that?

**Hon. Mr. McGuinty:** No, I will not agree to that. I cannot understand how embarking upon yet another process at some point in the future will help us address the matter that is before us today.

In addition to the ongoing communication efforts and the table that has been put in place to expedite the land settlement claims process, we have also helped the local community with a \$500,000 emergency assistance package for local businesses. We have delivered \$50,000 to the local council to hire additional communications support. We've delivered \$50,000 to help develop a marketing and economic recovery plan. Last week, we delivered a further \$160,000 to local council to implement that plan. We are presently in discussions with the developer involved to see if we might find a way to offset some of their costs. We are working as hard as we can, bringing as much as we can possibly bear, to ensure that we resolve this matter as quickly as possible.

### ELECTRICITY SUPPLY

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. On May 5, 2003, you promised to close coal-fired power plants by 2007, "Come hell or high water," to quote you. One year ago, Premier, you broke that promise and now, today, you're breaking your coal promise again. My question is this: Why are you breaking your coal promise again? Was it hell, was it high water or was this just another McGuinty promise that you never intended to keep and never had a plan to keep? Which is it, Premier?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** Last year, we determined a timeline for closing down plants based on information provided by the Independent Electricity System Operator, an independent body that manages the reliability of our power system. Unfortunately, those estimates have been revised upward this year as a result of the circumstances we faced last year, although let me stress that this report does not change our objective: The coal plants must be closed.

We want to ensure that we won't compromise reliability in the light of these new estimates. We want to ensure that the power stays on. And we want to make

sure as we do this that we clean up our atmosphere. We're committed to a cleaner environment, a cleaner airshed, and we will continue to press ahead to remove coal-fired generation as quickly as possible, recognizing system reliability, which the Premier and I have always said is the first priority.

**Mr. Hampton:** I'm surprised that the Premier wouldn't answer for his own "hell or high water" promise.

A March opinion poll asked people, "Who do you trust?" Politicians scored dead last, 14% below insurance salesmen and used car salesmen. Why? One big reason is because the McGuinty government has transformed breaking promises into a high art form. As a result, people feel betrayed and hurt.

My question to the Premier is this: After all of Dalton McGuinty's broken promises, why should the people of Ontario believe anything the McGuinty government says about hydroelectricity?

**Hon. Mr. Duncan:** We've begun the most ambitious cleanup of our hydroelectricity system in the history of this province. I will remind the member opposite that when we came to office, the amount of power was going down. We had a system that was failing us. We moved quickly to bring on clean, renewable power, something that member opposite voted against. We moved quickly on conservation, something that member voted against. And when they were in power, they cancelled all of our conservation programs.

We remain committed to closing the coal plants, something that member says he won't do, and we disagree with that. We are committed to that and we are moving forward. We moved forward by closing Lakeview. I remind the members opposite that the transmission changes to close that station hadn't been made by the previous government when we came to power.

We're moving to clean up our electricity system, to clean up our environment and to do that prudently, ensuring that Ontarians have a safe, reliable system of power, something they've lacked as a result of the lack of foresight of the party the member speaks for and the Conservative Party—

**The Speaker (Hon. Michael A. Brown):** Final supplementary.

**Mr. Hampton:** I'm surprised again that the Premier wouldn't answer for his own promise. After all, it was Dalton McGuinty who promised, come hell or high water, that he would close all of the coal-fired plants by 2007. He broke that promise a year ago when he said, "Oh, not until 2009," and now he breaks it again by saying, "Oh, can't do it in 2009."

Premier, now that your promise and your credibility have gone up in smoke, what's your new timetable for closing the coal plants—2010, 2012? Or is it the same target that Ernie Eves set, 2015? Which is it?

**Hon. Mr. Duncan:** The McGuinty government remains committed to closing the coal plants, something that member won't do. When that member is in the north he says, "Keep them open," and when he's in the south



he says, "Close them down." He said on Friday that it will take at least seven years.

We are committed to closing the coal plants in a responsible fashion that ensures the reliability of our power system. We've already reduced the amount of coal-fired generation by 17%. The amount of emissions associated with coal is down between 24% and 32%, depending on which type.

It is a challenge to close those plants. It's never been done anywhere in the world. But we remain determined and resolved more than ever to achieve that commitment, to clean up our environment and ensure a better quality of life and a better airshed for all the people of Ontario.

1500

**The Speaker:** New question.

**Mr. Hampton:** My question is for the Premier. Premier, one would have thought you would have thought about this promise a bit before making it in 2003. But your greatest failure, the reason why coal plants are still belching out pollution and why we're about to see the McGuinty \$40-billion nuclear mega scheme is because of your government's failure to move forward on energy efficiency and conservation.

California has reduced electricity consumption by 12,000 megawatts—the equivalent of three Darlington-sized nuclear power plants—through energy efficiency and conservation. California invests 30 times what your government invests in energy efficiency. Manitoba invests 33 times. Quebec invests 15 times what your government invests in energy efficiency and conservation.

My question is this: Why is the McGuinty government's electricity scheme "Go big and go nuclear," without even giving energy efficiency and conservation a real try?

**Hon. Mr. McGuinty:** I think the leader of the NDP would have understood by now the electricity circumstances in Ontario. We inherited a situation where, during the course of the last decade, demand went up 8.5% and capacity fell by 6.5%. So we've been working very actively. We brought 3,000 megawatts of new generation online. We have 10,000 more megawatts in the pipeline. We believe that we have a plan in place at present which will take us to 2014. We can manage demand up to that point in time, but beyond that, there's going to be a challenge for us.

The member opposite would suggest that the way for us to meet the 10,000-megawatt gap that will grow by 2025 is only through conservation and only through tapping into new renewable sources. We think that is unrealistic. We think that is irresponsible. We think that we have to build new generation in Ontario, and we are determined to do that and to get that done. The member opposite may see things differently, but we intend to move ahead with a plan that will meet our needs through to 2025.

**Mr. Hampton:** Some environmental groups held a press conference today and they presented a chart. What it shows is how much a province like Manitoba invests in energy efficiency and how little the McGuinty govern-

ment invests in energy efficiency. Here's the McGuinty government down here; you can hardly see them. Here's Manitoba.

Energy efficiency can do a lot for Ontario. For example, why aren't we providing people with financial incentives, like California did with their famous 20-20 plan? They reduce people's electricity costs by 20% if they agree to reduce consumption by 20%. It worked there. Why aren't we toughening up the building code, which, again, has had a huge impact there? Why hasn't the McGuinty government insisted on the highest level of energy efficiency for appliances? All these things make a huge difference.

Tell us again, Premier, why is the McGuinty electricity policy "Go nuclear, go big," without even really giving energy efficiency and conservation a real try?

**Hon. Mr. McGuinty:** Again, I can't agree with the leader of the NDP's presentation of our policy. He likes to talk about California, but he's not prepared to recognize that California is a little bit different from Ontario in a couple of regards. First of all, they don't enjoy a winter climate. Secondly, their electricity rates are dramatically higher than ours.

If the member opposite is saying that's the best way to motivate Ontarians and to incent business when it comes to developing a warmer embrace of conservation, then he should just say, as he's in fact said in the past, that we need to dramatically increase electricity prices in Ontario. I don't know why he'd say that, because on other days he's in this House telling us about the challenge that higher electricity rates are presenting to industry in northern Ontario. He can't have it both ways. The fact of the matter is, we have in place an aggressive conservation program, but even in spite of that, that alone will never be enough to get the job done. We're going to have to—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** Well, I think I've heard it all now. The Premier, who has increased electricity rates by 55% over three years after promising to freeze them, is now going to lecture other people on electricity rates.

This is about energy efficiency. About the only thing you've done on energy efficiency is hold some photo ops and some superficial ads on television. Someone living in Manitoba can apply for and receive a \$5,000 low-interest loan to install insulation, energy-efficient windows and energy-efficient appliances. But in Ontario, there is no such scheme under the McGuinty government—no scheme for demand response, no toughening up of the building code, no toughening up of energy efficiency requirements for appliances.

My question remains the same: Why is the McGuinty government so fascinated with "Go nuclear, go big," when your own record on energy efficiency and conservation is frankly embarrassing?

**Hon. Mr. McGuinty:** Again, I disagree with the leader of the NDP's perspective on this very important debate. Again, experts are telling us that by 2025 we are going to experience a 10,000-megawatt gap. That's the



difference between how much capacity we're going to have and how much demand there's actually going to be.

The leader of the NDP is apparently suggesting that we are never, ever again going to have to build new generation in Ontario, that we can meet all our needs long into the future simply by harnessing renewables and through conservation. I wish I lived in that world, but I don't; I live in this one. We have a responsibility on this side of the House to ensure that Ontarians—either through their homes, their schools, their hospitals or in our industry—have an adequate, reliable supply of clean, affordable electricity. We are seized with that responsibility and we look forward to putting out a plan that gets us to 2025.

#### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds–Grenville):** To the Premier: In today's Hamilton Spectator, the mayor of Caledonia says that OPP officers are embarrassed because they're not allowed to invoke the rule of law. Your Minister of Community Safety is also quoted in the paper as saying that OPP intervention in the Caledonia crisis would make the situation worse. This is the minister responsible for the OPP publicly saying, "Don't intervene; don't confront lawbreakers and lawlessness"—in other words, "Don't do your job." Premier, would you agree that your minister's public comments could be construed as providing direction to the OPP?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** No, I would not. I have every confidence that the Ontario Provincial Police will do whatever they think is appropriate, given their mandate, their responsibilities and their determination to protect public safety. I know they are monitoring the situation very closely and they will do what they feel is appropriate.

**Mr. Runciman:** I don't think there's any doubt that the Liberal Party's rhetoric over the years has impacted the decision-making of the OPP. As the president of the OPPA said last week, "political pressure and optics" have the OPP "bending their own rules" and jeopardizing officer safety.

After 104 days of occupation and numerous incidents of violence, property damage and enormous economic loss, you say your patience is running out. Given your minister's public comments advising the OPP to continue to ignore the rule of law and not confront lawbreakers, other than breaking off negotiations, what does your patience running out mean to the good people of Caledonia: meaningful action or another cross-country tour?

**Hon. Mr. McGuinty:** On the one hand, the member opposite is accusing us of somehow either directly or indirectly lending direction to the OPP. On the other hand, he's saying that we're supposed to end up with some kind of meaningful action. I don't know how he defines "meaningful action," but I can say that what we have agreed to, together with the federal government, is

that we issued a statement this morning calling for the barricades to come down on an urgent basis. Beyond that, our government has requested of the leadership of the First Nations community that they co-operate in every way possible to ensure the apprehension of the individuals who are alleged to have perpetrated misdeeds last Friday.

1510

#### ELECTRICITY SUPPLY

**Mr. Howard Hampton (Kenora–Rainy River):** For the Premier: Going nuclear without even trying energy efficiency and conservation is like doing brain surgery for a headache. Part of the reason people are worried about your \$40-billion nuclear mega scheme is because of nuclear power's history of bloated cost overruns; for example: Darlington, a \$10-billion cost overrun; Pickering A, unit 4 refurbishment, an \$800-million cost overrun; even the Pickering A, unit 1 refurbishment, a \$100-million cost overrun. Why should people in Ontario pour \$40 billion down your nuclear mega scheme when the results of the last investment in nuclear power still leave us with bloated debt?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** First of all, with respect to energy efficiency and conservation, California and Manitoba began in 1993 with a plan on conservation. What did the government of the day in Ontario do? They cancelled all conservation plans through the old Ontario Hydro. It takes an enormous change of culture to effect it. We've invested \$1.5 billion in directives at conservation which are coming online.

With respect to the future of nuclear power and nuclear generation in this province and the cost thereof, there is one government in Ontario's history that has brought a nuclear project in on time and on budget, and it was the McGuinty Liberal government and the refurb of Pickering A, unit 1. We will manage the system responsibly and reliably to protect the interests of all Ontarians going forward.

**Mr. Hampton:** The minister says that you brought in Pickering A, unit 1, on budget. Even your chief nuclear expert says that it was \$100 million over estimated cost.

But working families are also worried about nuclear waste, about how the McGuinty government's nuclear mega scheme will create tonnes of new additional toxic radioactive waste, which will have to be stored for thousands of years, yet there is no clear plan for how nuclear waste will be stored. It's like buying a big, expensive house and then saying to your children and your grandchildren, "You pay the mortgage."

How do you justify creating more nuclear waste for our children and grandchildren to look after? How is that fair to them?

**Hon. Mr. Duncan:** The member opposite really plays fast and loose with the numbers. First of all, he suggests that the cost of any nuclear program will be \$40 billion. He just picked that number out of the air. He refers to



tonnes and tonnes of nuclear waste. The amount of nuclear waste that we've generated in the last 40 years doesn't approach a tonne.

The member may not be aware of this. Nuclear waste management disposal is a matter of federal jurisdiction. It's being looked at by the federal government. We will manage it safely and responsibly, the way we have for 40 years, based on the recommendations of the regulator.

Finally, we will manage it the way the Americans, the British, the French and many other nations do: responsibly and under the guidance and direction of an independent regulator. Moving forward, that will help ensure a reliable, affordable system of generation for this province in the years to come.

#### FEDERAL-PROVINCIAL FISCAL POLICIES POLITIQUES FISCALES FÉDÉRALES-PROVINCIALES

**Ms. Kathleen O. Wynne (Don Valley West):** My question is to the Minister of Intergovernmental Affairs. There's a debate across the country, particularly among politicians and the media, but also Ontarians and other constituents across the country are talking about how to reform the federal equalization program and the nature of the fiscal imbalance. There are two studies that have been completed this year that make recommendations on how to reform equalization. Could you let us know what Ontario's position is on these recommendations and how these proposed changes might affect some of our constituents?

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** Je remercie la députée pour la question. The starting point for Ontario's position is something that every member of this House knows: that Ontarians are strong Canadians and are supportive of Canadians across the country.

Canada's Constitution says that Canadians in different parts of the country should have access to reasonably comparable levels of public service at reasonably comparable levels of taxation. Ontarians have always supported this principle. We're proud of our historic and continued commitment, in financial and moral terms, to ensuring that all Canadians have access to quality public services. However, Canadians living in Ontario currently put \$4.9 billion into the equalization program. That contribution has grown by more than 30% over the last four years and is scheduled to grow at 3.5% a year into the future regardless of what happens to the economy.

There are some who suggest we could address this imbalance by making the equalization program larger. There is simply no evidence to suggest that the existing equalization program is insufficient to meet the principle outlined in the Constitution.

Ontario would rather see a solution to the fiscal imbalance that benefits all Canadians equally, including the 39% of Canadians who live in Ontario.

**Ms. Wynne:** I think everyone in this House would support that position.

There is speculation, Minister, that the Premiers will meet with the Prime Minister later this year to discuss the fiscal imbalance and equalization. Could you outline what Ontario's position will be in those discussions? I've noticed that there are representatives from the city of Toronto who have spoken out on this issue. What stake do Ontario municipalities have in this issue, Madam Minister?

**Hon. Mrs. Bountrogianni:** Ontario wants the discussion to focus on a solution that benefits all Canadians across the country, not only half of the Canadians. The federal government could achieve a fair solution by either increasing federal transfers to all Canadians or providing tax room for the provinces to increase their revenues.

Il est évident qu'une autre augmentation au programme de péréquation pourrait aider quelques provinces, mais elle sera trop coûteuse pour l'Ontario.

Some other provinces' economies are growing faster than Ontario's. Some provinces that receive equalization now have lower tax rates. Some have greater overall fiscal capacity than Ontario. It doesn't make sense to increase equalization at this point in time, and we do need a solution that benefits all Canadians.

Just last week, Premier McGuinty hosted a meeting of mayors from throughout the province to discuss the fiscal imbalance and how it affects Ontario's municipalities. We are pleased at the response, and that the Association of Municipalities of Ontario formally endorsed Ontario's position in calling on the federal government to address the fiscal imbalance in a way that benefits all Canadians.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** My question is to the minister responsible for aboriginal affairs. Over the last several nights in Caledonia people have been giving me eyewitness accounts and rumours about the violence on Friday. Also, there are rumours in Caledonia and Six Nations that say that David Peterson has been fired.

Minister, this morning you called for an end to the blockades, not David Peterson. Has Mr. Peterson been fired or is he just missing in action like the rest of your government?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** No, David Peterson has not been fired. He still remains the provincial lead though, as I'm sure the member has observed, for many of the issues that only the main table can deal with, because the federal government is at that main table, that is where most of the discussions are taking place right now. That's why he has seen more of an emphasis to the main table, with Barbara MacDougall representing the federal government and Jane Stewart representing the provincial government.

**Mr. Barrett:** Minister, these rumours are just further proof of the total breakdown in communication in



Caledonia and Six Nations. To his credit, Mr. Peterson has been at the barricades. He was a no-show over the weekend. I've informed your government of this failure to communicate on a number of occasions in this Legislature, in addition to the motion that was passed just last week.

Minister, you say that Peterson is still on the job. What is his response to this weekend's events? How can my constituents contact him for further advice? And why has he no longer been communicating with people in the area?

1520

**Hon. Mr. Ramsay:** The main table of discussion is where the negotiations are taking place now, because the federal government has a presence there, as we've always wanted to have. We're very happy that the federal government is there with the province. As you know, we have the liaison group. Dave Levac works with that group in the community, keeping the broader community informed of our progress.

Just to say that, as the Premier did, we are very concerned about what happened Friday. Everything changed on Friday. We do not accept that lawlessness and intimidation that we saw Friday, and you've heard the very strong language from the Premier of this province in regard to that.

#### ENVIRONMENTAL PROTECTION

**Mr. Peter Kormos (Niagara Centre):** I have a question for the Minister of the Environment. Down in Pelham, folks are concerned, angry and afraid about a growing mountain of paper fibre biosolids, paper sludge, down on Church Street. You know about paper sludge. It contains significant concentrations of acrylamide polymer, a known animal carcinogen, as well as total petroleum hydrocarbons, along with other contaminants. Despite the implications for human health and the environment that were outlined, in fact, by your expert panel, you continue to allow paper sludge to be dumped anywhere, any time, with no policing, no monitoring requirements and no regulatory oversight.

Minister, will you intervene immediately to stop the dumping of paper sludge in Pelham and immediately require the hydrogeological monitoring of the dumpsite that your own expert panel recommended over a year and a half ago?

**Hon. Laurel C. Broten (Minister of the Environment):** I thank my friend opposite for the question. It has been brought to my attention that the local residents in Pelham are concerned about these issues, and these issues were raised at the town of Pelham council meeting on June 5, just last week.

Let me be clear to the people of this community that our government favours taking a science-based approach to the assessment of the material and a precautionary approach. The ministry regularly inspects sites where the material is being placed, and at the ministry's urging, groundwater monitoring wells are being installed on

some of the sites where the proximity of water is evident, and any odour or dust problems are promptly being required to be responded to. I think it's really important for the people of Pelham to know that the ministry is watching this circumstance very closely and will be there to require that these steps be taken.

**Mr. Kormos:** Minister, it's a frightening observation to make. The member for Erie-Lincoln and I were there on the weekend. The trucks continue to bring this sludge into this site adjacent to the Welland River and other waterways, adjacent to residential and very important farming properties.

Your own expert panel told you that there has to be not only hydrogeological monitoring but a legal framework within which the dumping of this dangerous sludge can be policed and controlled. It's being dumped willy-nilly on property in Pelham, and in fact across the province of Ontario.

Eighteen months after this report from your expert panel, you've done nothing. The people in Pelham don't want you to watch; they want you to act. They need your protection against a potentially toxic site and against the poisoning of their waterways, their groundwater and their land. When are you going to act on this and do something positive and concrete; do your job?

**Hon. Ms. Broten:** I think it's important for the people of the community to understand what the expert panel did say. The government's actions are exactly consistent with what the expert panel said. They said to take a science-based approach, and they said that we did not need to ban the material but we had to take precautions. We had to put measures in place to make sure that the environment and human health were protected. The ministry has tested it for 90 chemicals and bacteria, and the tests did not indicate that there were significant effects on the environment and human health. What they did have concerns about was the groundwater, and that's exactly the issues that I've mentioned the ministry is taking. Monitoring wells are being put in place and odour and dust problems are being forced to be mitigated promptly.

#### PETERBOROUGH REGIONAL HEALTH CENTRE

**Mr. Jeff Leal (Peterborough):** My question is to the Minister of Health and Long-Term Care. Peterborough residents are looking forward to their new state-of-the-art hospital that's scheduled to open in 2008. In preparation for this 500-bed capacity, the Peterborough Regional Health Centre is looking to increase the number of beds in its current facility. Last week, you came to Peterborough to make an announcement to acknowledge the hospital's future ambitions. Minister, could you please explain what the announcement means to the hospital's capability to handle their increased patient volumes and move individuals out of the emergency department?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It was with great pleasure that I had the opportunity to be in Peterborough at sunrise last



Thursday morning alongside the honourable member to witness the tremendous development and emergence of a long overdue new hospital in Peterborough. I credit the honourable member for his excellent efforts there.

I was pleased to be able to announce a total of \$7.8 million in additional base funding for the Peterborough regional hospital: \$3.9 million, which we've already flowed, that will allow the development of 15 additional beds; and a further \$3.9 million, which will come into effect on April 1 of next year, for a further 15 beds. This ramp-up towards new construction of the hospital is designed, of course, to make sure that as the new hospital comes to life, it's providing services immediately, particularly to make sure that the residents of Peterborough have all of the appropriate care that they require and deserve. I credit the honourable member that we were able to make that important announcement.

**Mr. Leal:** I would like to take this opportunity to personally thank the staff of the Peterborough Regional Health Centre for the great work they're doing.

This announcement proves our government is not only listening to local concerns, but we're also taking decisive action. Wendy Fucile, vice-president and chief of nursing at PRHC, says that these new beds will mean shorter wait times in the emergency department and will solve a problem that's been outstanding since 1998, leading to more jobs, improved working conditions for staff and better patient care.

Minister, what other great investments have you made at Peterborough Regional to improve health care access in our great community?

**Hon. Mr. Smitherman:** The Peterborough community is one that we're very proud of, not just because we've delivered a long overdue hospital but also as a result of the family health teams—five different teams that are coming to life in Peterborough. Incredibly, though they're not fully evolved yet, already 3,234 residents of Peterborough, not long ago considered orphan patients, can now call the family health team home from the standpoint of that support.

In addition, our \$1.2-million investment in wait times has resulted in a 28-day drop in waits for hip and knee; a 20-day drop in waits for MRI exams; a 41-day drop in waits for cataract surgeries; and, incredibly, as a result of the high performance of the Peterborough hospital, wait times for cancer surgery have been reduced by 50%—they've been cut in half—further evidence of the progress that's being made to deliver care to the great people of Peterborough and the county.

#### NATIVE LAND DISPUTE

**Mr. Frank Klees (Oak Ridges):** To the Premier: The events in Caledonia are not only of great concern to the residents of that community but, increasingly, to people across the province. Your occasional insistence that all is well is not great comfort to those who are seeing news reports and who still don't see a resolution. The key is communication for people across the province. They

need to know what is happening; they need to know that the issue is being managed.

Will you agree to implement daily briefings so that the people of Ontario will fully understand what the facts of the matter are; so that they know what the government is doing; so that the rumours don't persist; so that everyone has a full understanding of what the issues are? Would you agree to implement daily briefings so that we know what the facts are?

*Interjection.*

**Mr. Cameron Jackson (Burlington):** On a point of order, Mr. Speaker: I think the honourable member should not be accusing a member of spreading rumours. That is unparliamentary and it's outside of the proper decorum of this House.

**The Speaker (Hon. Michael A. Brown):** Premier.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I'm sure the member is aware, as I've stated in this House many times, that there are several avenues of communication that have been developed. The latest has been a liaison working group in the community that is made up of municipal officials, business officials and other community representatives, where there are daily briefings by government officials. Of course, we are always available and, through your questioning on it every day, we are giving you updates all the time on the situation there. We think that is very important for the community, and we try to do that for all sides so that all sides know what is going on at all times.

**Mr. Klees:** I thank the minister for his response. What I'm trying to do is be helpful here. Coming to this place and simply getting briefed as members of the Legislature is one thing. What I think would be very helpful is if in fact there were a structured briefing that members of the public could rely on, that the media could rely on, to ensure that the kind of rumour-accusations that are being made here have no basis, that in fact all of us across the province have factual information and know that this issue is being managed. Why would you not agree to a five-minute or a 10-minute briefing on a daily basis until this matter is resolved? I just believe that would be a responsible way for you to handle this issue.

1530

**Hon. Mr. Ramsay:** I would say to the member that I will take his suggestion as being one in good faith. We are always looking for ways to try to make sure that the general public has information. As you know, some of these other avenues we've done with the website, with the 1-800 number, the daily briefings with the liaison committee—we have individual calls from the people in government to the liaison committee also, over and above the daily briefing. We look at every avenue we can, so we will look at all suggestions. We want to make sure that we always improve our communications on this issue.



### YOUNG OFFENDER FACILITY

**Mr. Peter Kormos (Niagara Centre):** A question to the Premier: Kennedy House has a history of problems that your government has long been aware of. The government failed to act on the operational review and the problems identified there that were revealed in 2003. Now there's a strike on your watch, the third labour dispute at Kennedy House in five years. You talk a big game about investing in youth justice and being tough on gun crimes and gangs, yet you sit back and do nothing to fix the problems at a facility that has housed, and where you obviously intend to continue to house, some of our province's most dangerous young offenders. What are you going to do in terms of addressing these issues and ensuring that these labour disputes are resolved promptly?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister for Children and Youth Services.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** The member has raised this issue previously in the House. At that time, I shared with him the fact that the children who have been in custody at Kennedy House have been located elsewhere. So they are where they need to be.

Kennedy House is a transfer payment agency, paid by this government, and has responsibility for working this out with their staff and their union. Quite frankly, I don't see any reason why we should intervene in this matter.

If, at the end of the fiscal year, it proves to be the case that our funding should be reviewed, we will do so. But in the meantime, the children whom they are supposed to be caring for in custody have been relocated.

**Mr. Kormos:** Minister, these are children who have been convicted of murder, robbery, rape, other sexual assaults. This is the 11th week of a strike. It's the third strike in five years. Kennedy House has a history of labour relations that is poor, to say the least. It's not doing the job you're paying it to do. Why would you maintain a relationship with it? Why have you not responded to the concerns raised in the review? The executive director was told to treat the Ajax youth centre as an immediate priority and create a plan with an aim to avoid future problems. That wasn't done. You've been in power three years and you've made all sorts of splashy announcements. Why won't you insist and ensure that the recommendations of the operational review be complied with, that Kennedy House maintain a relationship with its staff that allows it to accommodate these dangerous young offenders or cut them loose and terminate your relationship with them?

**Hon. Mrs. Chambers:** Again, I'll repeat that this dispute is between Kennedy House, the employer, and their staff. This is a transfer payment agent organization, and if they don't deliver the services, they will not be compensated for services they don't deliver. My priority is the care of the kids who are being held in custody, and they are not at Kennedy House right now; they have been

relocated. It's up to Kennedy House and the union representing their employees to work out their dispute.

I have personally visited Kennedy House in Ajax. It's a beautiful facility. At that time, everyone was there, working together. I was actually quite impressed by what I saw. These kinds of disputes arise from time to time, and it's entirely up to employers and their union representatives to work these out. Government should not be intervening in everything. It's up to the employers and the union representatives to work these things out.

### ONTARIO ECONOMY

**Mr. John Milloy (Kitchener Centre):** My question is to the Minister of Finance. I'm wondering if the minister could clear up some confusion that seems to exist here in the Legislature. Late last week, the leader of the third party rose in his place and called on the creation of a job protection commissioner in the province of Ontario, yet the very next day StatsCan released its May job numbers and we saw media report after media report about the record job creation that has taken place here in Ontario, as well as the booming economy. So I wonder if the minister could clear up some of the confusion that seems to exist on either side of this House and give us an update on the state of Ontario's economy.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I think what the people of Ontario can really celebrate is how well the Ontario economy has performed, particularly over the past three years. That is a tribute to the hard-working men and women of this province and those people who manage businesses and own businesses. In the month of May, some 34,000 new jobs were created in the province. What's extraordinary is that since October 2003, almost 290,000 new jobs have been created. What is extraordinary is that almost 99% of those new jobs are full-time jobs. That's a tribute to the strength of our economy.

**Mr. Milloy:** I thank the minister for this update. I know that my area of Waterloo region has benefited from the booming economy, especially in the high-tech sector.

That being said, there is an unfortunate reality that a high Canadian dollar as well as rising oil prices have had an impact on the economy, and we have seen some job losses, not just here in Ontario but across North America. I'm wondering if the minister can explain what the government is doing to assist those individuals who have experienced job losses.

**Hon. Mr. Sorbara:** I appreciate the member's question. Obviously, the most important thing that we can do is to continue what we're doing to build a stronger economy. What my colleague Minister Cordiano has done in the automotive industry with our investments, realizing some \$7 billion in new automotive capacity in the province, what the Premier himself has done in the area of research and development, these kinds of strategic investments build a strong economy and ensure that when there is job loss, when some industries are getting smaller,



other industries are there to take up those new working opportunities.

But my colleague is right. Now and again, the government needs to move in. We have a program—I just want to make sure I get the name of it right—the adjustment advisory program, delivered through my colleague the Minister of Training, Colleges and Universities. And we're there, even before jobs are lost, to make sure that if jobs are to be lost, we are there to help.

### NATIVE LAND DISPUTE

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Premier. Premier, your absence has been widely noticed at Caledonia, and so has the absence of the Minister of Community Safety and Correctional Services as well as the minister responsible for aboriginal affairs. On the other hand, however, our leader has been there a number of times. In spite of the fact that just last week in the House your Minister of Community Safety said that the Leader of the Opposition hasn't spoken to any police officers, nothing could be further from the truth. Premier, when can the good folks at Caledonia expect you to visit the community?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Again, I'm very confident that we have a number of channels of communication open with the community. I'm confident that we are doing everything we can, to this point in time, to bring about a peaceful resolution, and we will keep those channels open.

1540

**Mr. Dunlop:** I guess you're not going to the community.

The supplementary is for the Premier as well. The OPP have been present for over 100 days at Caledonia, 24 hours a day, seven days a week. As one officer told me just yesterday, they are strung out and they are very tired. They tell me that they feel like meat in a sandwich. The OPP is using up very valuable resources at Caledonia—millions of dollars per month. That's after the cuts of \$31.3 million to the field and traffic division this year.

As you say, you're not going to visit Caledonia and you don't plan to. Can you tell me, Premier, what are you doing to support the Ontario Provincial Police at Caledonia?

**Hon. Mr. McGuinty:** First of all, let me take this opportunity to thank the Ontario Provincial Police for all the work they've been doing at Caledonia. This is obviously a very challenging circumstance which they've been called upon to address. I think they've shown a remarkable aptitude in managing this.

If there are additional resources required, if there are additional efforts that we as the government can make, then of course we are very much open to representations made by the Ontario Provincial Police.

### ENVIRONMENTAL PROTECTION

**Ms. Andrea Horwath (Hamilton East):** My question is to the Minister of the Environment. Hamilton doesn't want Toronto's sewage sludge and it doesn't want the pollution from Liberty Energy's proposed sewage sludge incinerator. Dr. David Pengelly, a professor of medicine at McMaster University, calls the emission of nitrogen oxides in Hamilton "an urgent matter of public health concern," especially given that Liberty Energy's own consultants admit the Hamilton airshed "has shown signs of reaching its capacity."

My question is this: Individuals and organizations, including the city of Hamilton, want an individual environmental assessment of Liberty Energy's proposed energy-from-waste incinerator. Will you announce today an EA bump-up?

**Hon. Laurel C. Broten (Minister of the Environment):** First, let me deal with the issue of the city of Toronto's waste. To be clear—and I've answered this in this Legislature before—I expect the city of Toronto to find a location to manage that waste and to do so in a prudent fashion, and I'm not intervening in the steps they are taking with respect to doing that.

With respect to the folks in Hamilton, we are absolutely committed to giving the local residents an opportunity to comment as the environmental process that is underway is taking place. Environmental assessments bring to the forefront those questions and concerns, and science and opinions. That's the process that is underway right now. We are in a timeframe when the director is in possession of information. We look forward to seeing this matter proceed through its normal course.

**Ms. Horwath:** The sewage sludge incinerator is skating around the environmental assessment process by inefficiently producing a small amount of energy. Less than one fifth of the energy output from the incinerator is actually converted into electricity. Clearly, energy conservation and efficiency are foreign to the McGuinty government, but such inefficient energy production is one of the flaws requiring close scrutiny under a full EA.

Will you listen to the public health experts, the residents and the city of Hamilton and immediately direct Liberty Energy to begin an individual environmental assessment for their proposed incinerator?

**Hon. Ms. Broten:** To the people of Hamilton: You should be absolutely clear that we will examine all of the comments they put forward to ensure that their air is protected, that their environment is protected. That's the responsibility of the Ministry of the Environment. All of the comments will be examined and the director will either deny their request or recommend to me that there be an individual EA. It's important to have all the information before us as we make that decision. That's the process that is underway right now. We need to examine those issues, take the science, bring that science forward, because that's what the people of the community expect. They expect us to look at this issue from a scientific analysis. That's what I'm committed to doing here in Hamilton and those are the steps we're going to take.

## PETITIONS

### HIGHWAY 26

**Mr. Jim Wilson (Simcoe–Grey):** “To the Legislative Assembly of Ontario:

“Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 1999; and

“Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

“Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe–Grey;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe–Grey.”

Obviously, I agree with this petition and I’ve signed it.

### FAIR ACCESS TO PROFESSIONS

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** This petition is to the Legislative Assembly of Ontario:

“Whereas the McGuinty government is committed to establishing measures that will ensure a fair and inclusive Ontario for newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, transparent and clear; and

“Whereas these measures will include the establishment of a fairness commissioner, and an access centre for internationally trained individuals; and

“Whereas through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals, but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, and work to ensure its prompt passage in the Ontario Legislature.”

I agree with the petition, and I also put my signature on it.

### SPEECH AND LANGUAGE SERVICES

**Mr. Ernie Hardeman (Oxford):** I have a petition here signed by a great number of my constituents, all the way from the people in the south in Tillsonburg and to the north end in Tavistock.

“To the Legislative Assembly of Ontario:

“Whereas over one million Ontarians of all ages suffer from communication disorders relating to speech, language and/or hearing; and

“Whereas there is a growing need for awareness of the profound developmental, economic and social consequences that communication disorders have on people and their families; and

“Whereas persons with communication problems require access to the professional services of audiologists and speech-language pathologists who provide treatments to improve and enhance quality of life; and

“Whereas effective treatment of communication disorders benefits all of society by allowing otherwise disadvantaged persons to achieve their academic and vocational potentials; and

“Whereas investments in treatments for communication disorders pay economic dividends in reduced reliance on other social services;

“We, the undersigned, in conjunction with the Ontario Association of Speech-Language Pathologists and Audiologists, call on the Legislative Assembly of Ontario to proclaim the month of May as Better Speech, Language and Hearing Month.”

I affix my signature and give it to my good friend from Oxford county, Greg, to take up to the table, and I’ll sign it as I agree with the petition.

### WORKPLACE HARASSMENT

**Ms. Andrea Horwath (Hamilton East):** I’m pleased to present a petition from over 100 CAW Local 1959 miners in Windsor urging the passage of my Bill 45, the Occupational Health and Safety Amendment Act. The petition reads as follows:

“Whereas workplace harassment is linked to the murders of women in Ontario; and

“Whereas harassment needs to be defined as a violation of the Occupational Health and Safety Act so that it is dealt with as quickly and seriously by employers as other health and safety issues; and

“Whereas employers should have a legal obligation to deal with harassment; and

“Whereas harassment poisons the workplace, takes many forms—sexual and sexist, verbal, physical, intimidation and racist—and should not be tolerated; and

“Whereas harassment in any form harms a victim’s physical and mental health, esteem and productivity, and contributes to trauma and stress on the job; and

“Whereas Bill 45 would make it the law to protect workers from workplace harassment by giving workers the right to refuse to work after harassment has occurred, require an investigation of allegations of workplace-related harassment and oblige employers to take steps to prevent further occurrences of workplace-related harassment;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to treat workplace harassment as a serious health and safety issue by passing MPP Andrea Horwath’s Bill 45, which would bring workplace



harassment under the scope of the Occupational Health and Safety Act.”

I have affixed my signature to the petition and present it today.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Jeff Leal (Peterborough):** I have a petition today for newcomers who want to get a job in Ontario.

“To the Legislative Assembly of Ontario:

“Whereas the McGuinty government is committed to establishing measures that will ensure a fair and inclusive Ontario for newcomers; and

“Whereas these measures will ensure that the 34 regulated professions in Ontario have admissions and application practices that are fair, transparent and clear; and

“Whereas these measures will include the establishment of a fairness commissioner, and an access centre for internationally trained individuals; and

“Whereas through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals, but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, and work to ensure its prompt passage in the Ontario Legislature.”

I agree with this and will affix my name to it.

1550

#### MOTORCYCLE INSURANCE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I have a petition, and I’m hoping Madeleine Ghesquiere, the page from the town of Simcoe, will deliver this to the Clerk for me. It’s titled “Fix Motorcycle Insurance.

“Whereas responsible motorcyclists are being hit with huge increases in insurance or are being denied coverage; and

“Whereas motorcycle insurance has increased over 40% in the past two years; and

“Whereas sales of motorcycles in Ontario have dropped over 7%; and

“Whereas many businesses and individuals in the motorcycle industry are suffering because of the loss of sales and decreased employment that high insurance rates are causing;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Dalton McGuinty government take steps to make motorcycle insurance more affordable and ensure that motorcyclists are treated fairly and equitably by the insurance industry.”

I support these motorcyclists and affix my signature to this petition.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Mario G. Racco (Thornhill):** “To the Legislative Assembly of Ontario:

“Whereas the McGuinty government is committed to establishing measures that will ensure a fair and inclusive Ontario for newcomers; and

“Whereas these measures will ensure that the 34 regulated professions in Ontario have admissions and application practices that are fair, transparent and clear; and

“Whereas these measures will include the establishment of a fairness commissioner, and an access centre for internationally trained individuals; and

“Whereas through providing a fair and equitable system, newcomers will be able to apply their global experience, which will, not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, and work to ensure its prompt passage in the Ontario Legislature.”

I support it and I’ll sign it.

#### LONG-TERM CARE

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition to do with long-term care. It reads:

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

#### ORGAN DONATION

**Mr. Frank Klees (Oak Ridges):** I have a petition here addressed to the Legislative Assembly of Ontario—literally hundreds of signatures gathered at the Aurora street sale—and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas 1,920 Ontarians are currently on a waiting list for an organ transplant; and

“Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

“Whereas hundreds die every year waiting for an organ transplant; and

“Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

“Whereas the private member’s bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation

question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"We, the undersigned, petition the Legislative Assembly of Ontario:

"To pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

I'm pleased to apply my own signature, and I do trust that the Legislature will proceed with third reading for this bill.

### ONTARIO SPCA

**Mr. Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, is being forced due to budget constraints to close its doors; and

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, to our community include animal cruelty investigations; 24-hour emergency rescue of injured animals; acceptance of abandoned animals; acceptance of owned animals, where people can no longer care for their pets; adoption of pets; family violence assistance program, allowing women entering a shelter to temporarily house their pets with the Ontario SPCA; humane education to local schools and community groups; and

"Whereas none of these services are provided by any other agency in the county and the municipal dog pound is small and not able to accept cats or other small animals; and

"Whereas investigation services will fall to the Ontario Provincial Police and they do not have the resources or training to fulfill this role and they are already overworked; and

"Whereas the Northumberland and Quinte humane societies are also facing financial challenges and will not be able to accept the additional animals;

"Be it resolved that the Legislative Assembly of Ontario act now to help prevent the closure of this facility and others across Ontario by ensuring that the Ministry of Community Safety and Correctional Services immediately implement the recommendations made in the February 2005 report of Grant Thornton, which called for interim funding to facilitate the operations of the Ontario SPCA until a long-term strategy is developed for animal welfare in Ontario."

I'm pleased to sign my name to that and to present it to Clarence to present to the table.

### CHILDREN'S MENTAL HEALTH SERVICES

**Mr. Cameron Jackson (Burlington):** I have a petition signed by 300 residents of the city of Burlington. I want to thank Lorri Interisano, who works at Halton

Child and Youth Services, for initiating this and sharing it with me. I'd now like to read the petition:

"To the Legislative Assembly of Ontario:

"Whereas one in five kids age three to 17 has a mental health issue;

"Whereas suicide is the leading cause of non-accidental deaths in 10- to 19-year-olds;

"Whereas early identification and treatment make the difference in children's mental health;

"Whereas the children's mental health system supports and strengthens a sustainable system of mental health services for children, youth and their families;

"Whereas last year treatment for thousands of children was disrupted and compromised because children's mental health agencies in Ontario lost hundreds of" full-time equivalent "positions due to" provincial funding cutbacks;

"Whereas a one-time injection of 3% to base budgets, though appreciated after 12 years of no increases, is simply not adequate to enable agencies to maintain existing staff or services;

"Whereas it is important that the children in treatment be able to create and sustain trusting relationships with their child and youth workers, social workers, psychologist and other treatment team members;

"Whereas any reform efforts will fail unless there is more funding for existing core services;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in providing secure and further funding to improve mental health services for all children in the province of Ontario."

This has my signature of full support.

### SPRING BEAR HUNT

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** I want to present petitions brought to me by the Haliburton Highlands Outdoor Association president, Keith Hodgson.

"To the government of Ontario and the Ministry of Natural Resources:

"Whereas the Ministry of Natural Resources' own data shows a clear and undeniable connection between the termination of the spring bear hunt and the increase in nuisance bears; and

"Whereas there has been an increase of almost 500% in the number of calls to the Ministry of Natural Resources about nuisance bears but no change in calls in Manitoba, where the spring hunt continues; and

"Whereas at least five people have been attacked by bears in 2005, and since 1978, bears have killed seven people in Ontario, six in provincial parks where hunting is not allowed, and all fatalities have occurred where there is little or no hunting pressure; and

"Whereas adult male bears are cannibals and highly aggressive; there are thousands more adult male bears in the population since the hunt was terminated and thousands more bear cubs are being orphaned or killed; un-



precedented numbers of nuisance bears are being trapped, relocated or killed, but the problem persists; and

“Whereas the increase of nuisance bears since the spring bear hunt was cancelled has become a serious threat to public safety, and increasing interaction with humans from higher bear densities is likely to result in more bear attacks on humans; and

“Whereas, during a debate in the Legislative Assembly on November 17, 2005, members of all three official parties supported a return of the spring bear hunt;

“Therefore, be it resolved that we petition the government of Ontario and the Ministry of Natural Resources:

“In the interests of public safety and scientific wildlife management, the government should immediately return a spring bear hunt to Ontario.”

This is signed by almost 800 people from my riding.

## ROYAL ASSENT SANCTION ROYALE

**The Deputy Speaker (Mr. Bruce Crozier):** I beg to inform the House that, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

**The Deputy Clerk (Ms. Deborah Deller):** The following is the title of the bill to which His Honour did assent:

Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

1600

## ORDERS OF THE DAY

### EDUCATION STATUTE LAW AMENDMENT ACT (LEARNING TO AGE 18), 2006 LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION (APPRENTISSAGE JUSQU'À L'ÂGE DE 18 ANS)

Resuming the debated adjourned on May 31, 2006, on the motion for second reading of Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act / Projet de loi 52, Loi modifiant la Loi sur l'éducation concernant l'apprentissage des élèves jusqu'à l'âge de 18 ans et l'apprentissage équivalent et apportant des modifications complémentaires au Code de la route.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Peter Tabuns (Toronto–Danforth):** First, I seek unanimous consent to stand down the lead speech of the NDP education critic.

**The Deputy Speaker:** Agreed? Agreed.

**Mr. Tabuns:** This act before us is highly problematic. I hope over the next 20 minutes to explore why there are problems here, what the problems would manifest themselves as, and to ask the government to significantly reconsider the bill that they've put before the House, because I don't believe it will deal with the stated problems that the government has identified; I think it will create more problems. I think they need to go back, think this through more thoroughly, consult more widely and then bring a bill to this House that will deal with the issues they are concerned about.

First of all, on this idea of keeping students in school until the age of 18, no one would argue that the world is changing, that every country that wants to succeed in the world economy will have to have a better-educated, more literate and better-trained workforce. Frankly, beyond training people for the economy, the fact simply is that if you have a better-educated society, you have a society that can engage in political discourse at a higher level, a society that has the potential to be more humane, a society that is able to better direct itself. I don't have confidence, though, that the bill before us—with the requirement of changing the school leaving age to 18, with the requirement that those who don't stay in school until they are 18 will not be able to get a driver's licence—will address those questions in the way they need to be addressed.

I think the first question the government should have asked, and that I'm going to put forward here, is, what keeps young people learning and what undermines their ability to learn? What leads students to stay? Frankly, if you have students who have a solid base at home, who have had the support from their parents, who have had the family stability to actually allow themselves to focus on school without being distracted by huge difficulties at home, those students have a better chance at succeeding. If, on the other hand, you have students who come from homes that are disruptive, constantly in a state of crisis, in a situation where the parents have difficulty holding things together, then those students are going to have tremendous difficulty applying themselves to lessons, thinking about the longer term and staying in school in a productive way. In this bill we are not, in any way, shape or form, addressing those issues. So those students who come from homes that are stressed, unstable and problematic are going to face huge problems if they leave, and, frankly, if they stay in school they will face substantial problems.

The reality is that although across the spectrum of earning you have people with low incomes who are able to pull together a household and make it secure, make it stable, low-income households tend to have a much more difficult time avoiding those stresses and tensions that



come with the inherent problems of not having a stable home, of not having a stable income, of not having an income that's adequate to the problems and the demands at hand. On the other hand, if you come from a household that's well off, then it's far more likely that your situation will allow you to have that stability.

What we have is a situation where students from poor families who are far more likely to face those home difficulties, and thus far more likely to face difficulties at school, will once again be hit for not staying in school and performing the way they are expected to perform. In practical terms then, this bill won't deal with the underlying problems that make it difficult for people to study and won't deal with the underlying problems that make it possible for them to stay in school and apply themselves.

It's my opinion that the bill before us will not in fact deal with the problems that we are trying to deal with. Simply telling students, simply telling young people, that they can't get their driver's licence unless they stay in school, in my opinion, is not going to be effective. What will the fallout be from the implementation of this bill?

First of all, in rural areas I would expect that we will see far greater burdens thrown on those young people because, as we all know, if you're living on the outskirts of Timmins or Sudbury as opposed to, say, suburban Toronto, your ability to access public transit is zero. We don't have public transit worthy of the name, in fact just simply existing, in most rural areas of Ontario. So poor rural students will be hit much more heavily here than urban students. That is going to be a significant problem. How will they deal with this? How will they deal with the fact that they find it difficult to get around? I would expect that many of them will simply drive their cars without a licence. They leave school at 16, they find a job somewhere, they have to drive to get there and they are going to drive.

Similarly, in urban situations you'll have a reality that there will be students who can drop out because they know they have access to transit. In many instances they can walk to places they need to get to because the city is far more compact, or they too will drive illegally. In fact, this bill opens the door to many young people, already in difficult circumstances, quitting because the prerequisites to allow them to learn, to participate in the educational system—because they're locked out of that, because they are locked out of their driver's licence—simply breaking the law. So a difficulty they already had puts them at risk of having a much greater difficulty, a substantially greater difficulty.

I don't think that those who drafted this legislation would want that to happen. Frankly, I think this government should reconsider what it has put before this House and say, "Yes, this is a significant problem. This is an unintended outcome. We don't think we should proceed. We think we have to substantially amend this bill so that we don't put young people at far greater risk of being in violation of the law." That is one of the more significant problems with this bill.

But there are questions as well about the actual implementation of these punitive measures, because you can't just state something. Well, maybe you can, but then you have a bill that just sits on the shelf, gathering dust, and is of no consequence. If you do that, you bring the law into disrepute but you're going to have difficulty getting people to actually enforce this law. Think about it. School principals or their designates are supposed to determine whether or not someone is still learning until age 18.

What's the reality there? Are these principals going to be the ones who will be maintaining all of these records? Are teachers going out and checking on this alternative education element that is made real here in this legislation? Let's say that a young person says to their principal, "Well, yes, I'm not in your school, but I'm working with community group X. I'm there 30 hours a week and I'm learning." Who is going to go out and do the quality control on this? Who is going to say, "Yes, they're actually learning; yes, they're doing enough to qualify themselves to get a driver's licence"?

Teachers, when you talk to them, already work to their limits. Principals already have tons on their plates. If you look at attendance counsellors, many school boards have eliminated attendance counsellors. So a question to be asked to those who drafted the legislation and to the government that wants this legislation to go through is how exactly are we going to make the resources come into existence so we can determine whether or not students are doing what they say they're doing when they're not in a school, but taking advantage of the other section of the bill that says they can have an alternative learning experience?

**1610**

If this bill was clear about entirely in whose hands these responsibilities were laid, that would be one thing, but in fact the bill waffles between giving an option to the Ministry of Transportation to determine, or the principals or the schools. Perhaps this can all be combined into some new mechanism of enforcement. But I don't see why on earth the Ministry of Transportation should be trying to determine whether or not a 17-year-old is in school or whether or not a 17-year-old is participating in an alternative educational experience—whatever that is—that will allow them to qualify for a driver's licence. I think there are practical matters here in terms of enforcing this bill that have not been considered by the drafters and by the government bringing this forward.

The interesting element in this bill, aside from the problems I've outlined, is that the bill punishes those who don't yet have a driver's licence. When I was 16, I was enrolled in a CAA course in Hamilton to get my driver's licence, and by the time I was 16½, I had my driver's licence. Whether that was a wise thing or not, I won't comment further, but nonetheless, I had one. Many students can do that. Many young people can do that and then immediately resign from school. They've done what they had to do. They got that driver's licence, they stayed



in long enough to ensure there were no impediments and then they got on with life. This bill does not set up enforcement against those who already have their driver's licence. So if they're really slow at getting it, they're in trouble. If they plan, strategize, then this bill to keep them in school, this enforcement or this penalty, is of no consequence.

If school boards, principals, the Ministry of Transportation decide, "Yes, we have to enforce this," then you start applying resources to a solution that in fact doesn't deal with the base problems. You have a diversion of resources—which could be used to give students more support in school—to the enforcement of a penalty that I'm sure doesn't make sense to most students and to most parents. We need to focus on the positive aspects of keeping people in school. We need to focus on making sure they have the support so that they will want to stay in school, instead of diverting our resources to these kinds of penalties—not a wise use of resources, not a wise way to deal with a profound social problem.

What I find extraordinary is that this is being brought forward without any great public outcry for this as a solution. People who go to classrooms can see very quickly—and I'm talking about teachers for the most part—where their problems arise. They aren't calling out for this. The teachers in this province are not calling out for this. I imagine it's an approach, a solution, that looks good in a leaflet but does not look good in practice.

Having addressed what I think is a fruitless approach, a worthless approach to keeping people in school, I want to talk about the section of the bill that talks about equivalent learning. In the act, people are allowed to engage in alternative learning opportunities, equivalent learning. The regulations that will be promulgated by the government after this act is adopted, accepted, in place, will define acceptable learning locations and will be further refined by board policies and guidelines. So from our hands it travels quite a distance until you get the actual definition.

We've seen some interesting examples already of government sliding standards when it comes to apprenticeship funding. The Ministry of Training, Colleges and Universities issues an apprenticeship training tax credit, nominally for employers who train employees. Last year—it was a good year for this sort of stuff—we learned that Dell computers had received credit for staff in their Ottawa call centres. I know we all want to embrace the idea of people apprenticing in call centres. That's the future, that's where our young pages will go. They too will go on to call centres in future years.

To quote the Ottawa Citizen, "The province has generously included IT call centre workers in the apprenticeship plan, subsidizing their wages by allowing Dell to collect a tax credit of \$5,000 per employee for three years. The actual training period for the call centre workers is two to three weeks, Dell says."

That's very pricey tuition for two or three weeks. That's awfully pricey tuition for two or three weeks. When our critic asked about this, our critic was told that

they were being trained in the skilled trade of helpdesk analyst. Well, I don't think that's where we should be putting public money. I don't think that we should be approaching or developing a situation where McDonald's or Burger King can be coming to school boards and saying, "We want to train people in burgerology. We want them to get an equivalent-to-high-school certificate. We want a subsidy to train them to deliver fast food." I don't think that what's before us is going to deal with the problems that we have with young people who need to acquire skills, and I don't think it's going to help develop our economy and develop our society the way they have to be developed.

The last point I want to make is around the whole question of unmotivated students. Last December, the Toronto Star wrote about the whole question of unmotivated students and how this bill will affect them. They noted the kinds of problems that teachers will have dealing with large numbers of unmotivated students. I'm not talking about those who are staying there because they can't get their driver's licence; I'm talking about those who stay because that's the law, they don't want to have continued problems with their parents. They're going to stick around.

I've taught classes before. I was a part-time teacher at George Brown College. I have to say that most of those students were motivated because most were paying out of their own pocket. But I've also talked to my brother and brother-in-law, who are teachers, who have dealt with students in classes where large numbers of students were unmotivated. Frankly, it's entirely disruptive. If you don't deal with the fundamentals, if you don't deal with the social problems, if you don't deal with what are sometimes psychological problems, if you don't deal with the monetary problems that are at the root of many of the problems we have in school, then what you have is a teacher trying to deal with a classroom that is very difficult to manage, a teacher whose thinking and attention is focused on trying to keep in line a number of people who don't want to be there, who are disruptive, people whose approach is that of any person who is confined to a room they don't want to be in for an extended period of time they don't want to suffer through. This bill, if all of the other problems were dealt with, might be a useful bill, but as it is written, this bill will simply create problems, expand problems and in fact eventually cause this government to say, "You know what? We need another bill. We haven't dealt with the issues here. We're going to come back with something that will actually address the issues before us."

1620

**The Deputy Speaker:** Questions and comments?

**Ms. Kathleen O. Wynne (Don Valley West):** Just following up on what the member for Toronto–Danforth was saying about unmotivated students, the point of this bill is that it's part of a much larger initiative on the part of the government. The legislation itself is not the whole program. The idea is that there is a whole structure of programs and extra resources. The issue of unmotivated



students, for example, will be partially addressed by having more adults in the system. There were 800-plus teachers put into the system—Student Success teachers—last year; there will be another 300 put in this year. What we know is that those adults in the system are the people who help students to connect with the programs they need. They are the mentors, they are the people who foster interest among students and help kids to figure out what their path is.

The other things that we're offering, like the high-skills major, like the dual credits, like the alternative equivalent learning situations, are the kinds of things the student success teachers will help the students find.

The driver's licence provisions in this legislation are not the core of the issue. That's simply a tool. What we're talking about is a culture shift. We're talking about a situation in this province where we know that it is in the best interests of every student to be in a learning environment—of every young person in this province 18 and under, and even 18 and over. I can't imagine a child in the province, even if they are working, who we wouldn't rather have also in a learning environment, and those learning environments need to be defined. The Student Success Commission that's been set up by the ministry will do that quality control and make sure that the equivalent learning situations are valuable. The legislation is just a part of that program.

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to make some comments on Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning, and the speech by the member for Toronto-Danforth.

The member for Toronto-Danforth pointed out many of the practical problems with this bill. I think we would all agree that, in an ideal world, we would want to see students stay in school as long as possible, not just to get a high school diploma but to go on to college or an apprenticeship or post-secondary university. However, for many students that is just not practical. I was listening to some students on a CBC program when this was first introduced, students who had dropped out of high school but then had real-world experience, went back and finished off their high school diploma, and had gone on and done well. The students were asked whether this would assist them and their response was no, they just weren't ready to learn. They needed some real-world experience for their particular circumstance, and every circumstance is different. So as the member for Toronto-Danforth pointed out, there are some real problems with this.

In fact, this could be punitive, particularly for students in rural and northern Ontario, who absolutely need a driver's licence if they aren't in school and they're trying to get a job to get the sort of experience that might be necessary for them to realize how important it is to stay in school, that maybe having a job at 17 isn't what they really want to do and that going back to school and furthering their education will give them more opportunities in life.

This bill, although perhaps well meaning, is just not practical and may do more harm than good, as was the case with Bill 78, the "give control to the college of teachers and the teachers' unions" bill.

**Mr. Khalil Ramal (London-Fanshawe):** I've been listening to the member from Toronto-Danforth for the last 20 minutes. When he was talking and criticizing the bill, I didn't hear from him what he thinks is the best alternative to the bill and to the strategy of our government. It's very important to assist the students in our province to continue going to school up to the age of 18. We think it's very important to assist education in this province.

Also, I heard him talking about how the McGuinty government has no strategy to absorb all the students, and the schools don't have the mechanism. As a matter of fact, we listened a lot to the Minister of Training, Colleges and Universities about planning for the future, to put in a mechanism to absorb all the students who for some reason are not able to continue going to school by creating some kind of program, whether in community centres or union facilities or a college or a high school, if that's possible. So all these issues have been raised and debated for a long time in our government between the Ministry of Training, Colleges and Universities and the Ministry of Education. Also, to create a strategy to enable the students in Ontario to learn some kind of profession and give them the ability, when they go out in life, to find a job, to help our economy and to help themselves to raise enough money to live comfortably in this time.

I think the member from Toronto-Danforth didn't read the bill very well. I didn't hear from him what his alternative was. As a matter of fact, when we talk about something bad, we have to offer another alternative, but I didn't hear anything from him to give us some kind of idea or plan as to how we can fix the bill.

I'm very proud of our government to have such a bill to help our students to live for the future.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to make a few comments on the member from Toronto-Danforth's comments a few moments ago. I have to tell you, I've listened to a few comments over the last few months on this Bill 52. Certainly, although they make it sound as though the driver's licence portion of this bill is not important, the reality is that that is the main thing I'm hearing back from my constituents. I think it's a form of discrimination. How can you possibly hold over some young person's head the fact that they couldn't have a driver's licence? What are you going to do next? Take away a fishing licence if they want one, or a hunting licence? Is that next? Why would you possibly think of something so pathetic and so mean-spirited as holding back someone's driver's licence because they may not be able to continue in school?

There are parts of the bill that may not be too bad at times, but I can tell you, that part would stop me from ever supporting the bill—the fact that they discriminate against young people, people who may not be able to



learn as fast but who can pass a driver's test. They can get a job using their skills to drive at some point. To take that away I think is nothing more than a form of discrimination. I'm very disappointed that any government would include that in a piece of legislation. That would hurt young people from getting a job. The job may not be the highest-paying job in the world, but it is a job, if they have the skills to possess a driver's licence.

Again, I thank him for his comments. I congratulate him on them. As far as the section on the driver's licensing, it's just pathetic and I'm disappointed that the government would even dream of humiliating young people that way.

**The Deputy Speaker:** The member for Toronto-Danforth, you have two minutes to respond.

**Mr. Tabuns:** I appreciate the comments from those members who stood up, from Don Valley West, Parry Sound-Muskoka, London-Fanshawe and Simcoe North.

I want to speak first to the comments from the member for Don Valley West. It's useful for me to hear that you see this in the context of a larger program. I have to say to you that when I talk to the trustees in the city of Toronto, who are wrestling with a very large shortfall in their budgets, who are telling me that schools and parent-child centres are going to be closed—and I had a meeting with a large number of parents just last Friday on my constituency day saying that their parent-child centre was closing—it doesn't say to me that there are going to be more resources. It says to me that things are tighter. If we're going to talk about a larger program which will address these fundamental issues, then you have to have money on the table which will do it. So I look forward to hearing about the budget allocations that in fact will make it real to have extra support, real support, not just punitive measures.

The member from London-Fanshawe talked about alternatives. I think that's the right question. In fact, I say to the member, if this government persists in not honouring its commitments to end the clawback of the federal child benefit; if it doesn't in fact spend on child care the way it said it would in the last election; if it doesn't deal with the whole question of keeping Ontario Works and ODSP incomes rising, rather than simply stagnating given inflation—if you don't deal with those social problems, all of this stuff is just for show. Deal with the social problems, and then the other problems can be dealt with.

1630

**The Deputy Speaker:** Further debate?

**Ms. Deborah Matthews (London North Centre):** I have to say that it's a real honour for me to rise today in the House to speak about Bill 52, the Education Statute Law Amendment Act (Learning to Age 18), 2006. This legislation is something that will make a real difference for students in this province, now and in the future. I can't think of anything we do that is more important than providing education for our students. As I think people here know, this legislation would, if passed, give school boards the power to provide learning opportunities to their students by partnering up with community groups,

the business community, training centres, colleges, universities and other organizations that provide programming for young people.

Today is a very appropriate day to speak about an education bill, because today, for the third time in this government's mandate, we've announced that we're boosting our investment in this province's publicly funded schools. It's also an opportunity to reflect a little bit about what a difference a couple of years makes. I hear constantly from people in my constituency in London about a new spirit in our schools. I hear from educators, I hear from students, I hear from parents that there's a new spirit of optimism, of co-operation in our schools now, that there's a new and productive relationship between our teaching professionals and our government. I wholeheartedly think that Bill 52 reflects that new spirit of co-operation. It also reflects our commitment to our children—that's our focus, our children—and we are especially concerned about children who are at risk.

This government values the work of our teachers, our principals, our administrators and our students. We recognize the value of our public school system and the potential it has to completely change a child's life. We're putting our money where our mouth is, both literally and figuratively: \$50 million more for special-needs students; \$23 million for professional development programs; \$20 million from our 2006 budget was devoted to improving literacy and math levels, French programs, professional development for staff, parent engagement, and safe and healthy schools. I know from my work in community and social services how very, very important that strong education—the literacy, the commitment to becoming a productive member of society—is. It starts in our schools; we have to make the investments there. Overall, each student in this province is receiving almost \$1,600 more per year than they did under the previous government. That's a record we can all be very, very proud of.

The spin-off benefits of investing in our kids are enormous, and the long-term payoffs of ensuring that we work extra hard had to accommodate at-risk youth are innumerable. We're especially concerned, and this bill reflects that, about students who are having a hard time getting through the system as it currently exists. That's why we've invested in special-needs programs and apprenticeships at unprecedented levels.

Bill 52 is a continuation of these values. Simply put, we are going to do everything in our power to ensure that all Ontario students have a high school diploma or its equivalent. I'm sure the impacts of this bill will be just as powerful as the massive investments we are making in education from this year's budget.

We're ensuring that our students stay on track, that our students stay in traditional schools or continue learning in other settings. We believe in these kids. We know what they can do, what they're capable of, if we give them the opportunities and the support to achieve their full potential. That's what this is about. We believe in our students. We know they can succeed. We have to give them what they need to succeed.



This is an ambitious bill. Make no mistake about it. Some people will argue that it is too ambitious. But in a time when we have proven our commitment to education—we've proven that we can deliver smaller class sizes; we've proven we can deliver higher test scores—our commitment is firm on this as well. We are capable of implementing this bill. It will make a huge difference to students whom previous governments had given up on.

I share our Premier's and our new education minister's commitment to all the students. As I say, if they can't complete their high school diploma in the classroom the way most students can do, if that's not working for them, it allows them to continue to learn until they're 18 or until they graduate. It offers very creative programs, creative partnerships. It's a very, very good bill for our students. These programs are an excellent outlet for teens who are artistically inclined or who have skills outside the academic centre to realize their full potential. It allows them to build their self-confidence. We know that self-confidence is one of the greatest of great tools we can give a child, fostering their sense of pride in what they do. Eventually, this bill will guide them to a career path that will be fulfilling, rewarding and productive.

This bill is part of our overall plan for student success. We promised it in our campaign in 2003 and we are delivering it now. It is part of a comprehensive, \$1.3-billion plan. It's not everything contained in this bill, as has been said earlier. This bill has a very specific goal. It's all about helping students to achieve their potential. It is ambitious but it is essential to our future prosperity. It is a vital part of our student strategy.

There was a lot of planning and rebuilding necessary before we could move forward on this one. Our schools had fallen into a sorry state after many years of damage done to them. The morale was low. Buildings were broken and leaking. Students were stuck in portables. The art, music and technology departments had virtually disappeared because the previous government considered them to be frills.

Well, they're not frills. Many of these are the departments that keep students at school when they are at risk of leaving. When they are having difficulty with the core curriculum, teens can shine in other areas of the whole school environment. These departments have the power to make a student a celebrated member of the school community as a band member or as a teammate with a technology, auto shop or electronics team.

Perhaps we shouldn't be surprised that 30% of the students under the previous government were not graduating—almost one third. It's still amazes me. We're committed to winning those students back. We're committed to increasing the number of students who complete successfully. Those students deserved a better school system and we are focused on giving them that better school system.

Some have characterized this as a punitive bill, that we're punishing students, locking them away in schools. There is nothing further from the truth. This bill in fact liberates students with options to learn on the job, to earn

credits for co-op experiences, to test out different types of jobs, different work routines and different skill sets. Everyone wins: Students continue learning; employers benefit from the assistance of young, capable, knowledgeable and eager staff.

Our school system adapts to the different interests and capabilities of its students. And the province will undoubtedly become richer. We will renew our skilled labour pool, which is definitely in high demand. We will have focused and capable high school graduates and fewer dropouts.

The Minister of Education summed it up well when she said, "The bill is called 'Learning to Age 18'; it's not called 'Classroom to 18' for a very good reason."

Before I finish, I just want to talk a little bit about a program in my hometown of London, Ontario, that I have seen with my own eyes. I'm glad that some of my colleagues from London are here today, because we're all big fans of this program. This is a program where kids who have dropped out of school, who are no longer enrolled in school, come and earn credit by credit in a very comfortable environment. In fact, I know that they're actually learning in the market in London. The market has generously donated space so these students can come and work on their own, earning credits, one at a time, with the goal of working towards graduation. These are students whom others have given up on. We believe in them, we applaud them, we see their potential, and we're willing and anxious to invest whatever we can to ensure that they become productive members of society.

I am very, very proud of this bill. It speaks to creativity, it speaks to optimism, it speaks to courage and it speaks to the potential of our students.

1640

**The Deputy Speaker:** Questions and comments? Questions and comments?

**Mr. Ramal:** Since nobody will stand up and take the chance to comment on the remarks of my colleague the member from London North Centre and her great analysis of the bill and why we should support it, hopefully many people in the province of Ontario were listening to her, because I think—and especially the member from Toronto–Danforth; hopefully he learned from her explanation why our government is bringing forward this bill to assist the students of the province, to assist our youngsters who need a lot of attention. I believe by giving the support and the mechanism we can provide them with the tools and the equipment to go for the bright future for the province of Ontario and also for themselves.

I heard members talking about why the driver's licence is very important for many young students. It is a very good tool. We have to tell the people of Ontario that to obtain a driver's licence is a privilege; and to gain that privilege, you have to do something in your lifetime. What's it about? Education. It is a very important element: to tie the driver's licence with a good education.

As the member said, it is important to encourage students. Also, the member explained how the bill is not



going to be abstract. It is going to be tied to a lot of initiatives; it is going to look after the rural areas; it is going to look after the north; look after the students who want to continue their education; look after the community centre that will provide education for those students; look after the college, assisting the college to open up for those young people who want to continue alternative education, so they're able to go and learn something, not necessarily academic stuff.

I think it is a very good bill, and I want to commend the member from London North Centre for her eloquent explanation of this bill.

**Mr. Miller:** It is my pleasure to add comments on Bill 52, which is, as we know, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act.

As I previously stated when I was able to have an opportunity to speak for a couple of minutes, there are many problems with this bill. It's just not practical for many young people who, for a variety of reasons, aren't really ready to learn and ready to finish high school. No matter how much we may want them to stay in school, they just have things happening in their lives which don't permit them to stay in school. Taking away their driver's licence, taking away, if they're in rural Ontario, their ability to have transportation, to have a job, to be able to get some real life experience, to get ready to hopefully go back at a later date to finish their high school education, is punitive, and I think it's not necessarily going to help.

In the next few weeks, I will have the pleasure in Parry Sound-Muskoka of attending many of the graduation ceremonies around the riding, and I will attend as many as I possibly can. The ones I enjoy more than any are those of students who have gone into the workforce and then come back at a later date, usually under much more trying situations. Whether it be because of learning disabilities or life situations, they have had to have jobs and then go to school and achieve their high school diploma. I tell you, it's very gratifying to participate in those graduation ceremonies.

This bill is just not practical. It's not going to do any good in terms of the goal of having young people learn and more young people staying in high school and getting their high school diploma.

**Mr. Tabuns:** I want to speak first to the comments from the member for London North Centre, who is well read, who is fully capable of understanding the issues before us and their full complexity.

Early in World War II, the United States government did testing of young men who were coming in to join the army. They found that malnutrition—perhaps not even classic malnutrition but poor nutrition—meant that many of them did not meet the standards they needed for someone who would be capable of joining that army. In fact, it was out of that that the United States developed its school lunch programs, which Ronald Reagan took a buzz saw to in the 1980s. The reality is that if people are not well fed from childhood, if they are not looked after

from childhood, their ability to perform fully in society is grossly undermined.

This government promised to deal with much of that poverty by ending the clawback of the national child tax benefit, now the national child benefit, and by increasing payments for Ontario Works and ODSP in line with inflation. Those things have not happened. When I talk to people in legal clinics in my riding, when I talk to people from OCASI, when I look at the stats coming from food banks, I know that more people are using food banks. I know that kids are not getting the food they need. And their households are not stable. They are not getting the supports they need to ensure that young people can actually learn the way they need to learn. You can have as many bills as you want, but we all know that if people don't have a stable family life, education will not take place the way it has to take place.

**Ms. Wynne:** I want to speak to the comments of the member for London North Centre. I completely agree with her that this is an optimistic bill, that this bill is a testament to our belief in the courage of the young people in our community who can succeed in a variety of ways.

We're not actually content just to rebuild education to its previous state before the Conservative government took a hacksaw to it. We're actually recognizing that we have to build on the good parts of that system and improve and move forward. So we're doing some things that have never been done before. We're not only building back the technical shops into high schools, but we're offering new programs that will link students to college education while they're still in secondary school.

We're providing opportunities for equivalent learning that are going to be monitored by what's called the Student Success Commission, boards and teachers' federations and the ministry, talking together about what we can count as equivalent learning, so that when we write policy at the ministry, it will actually work on the ground. That's a process piece that doesn't show up in the legislation, but what it means is that when those equivalent learning opportunities are put in front of the students, we know they will work. We know they will have the buy-in of the teachers, the ministry and the boards so that students can be successful.

We're keeping tabs on graduation rates. When I was a school trustee, it wasn't easy to even know what the graduation rates were in our own board, let alone across the whole province. So we're starting to monitor that and then we'll be able to measure how much better we're doing in terms of our graduation rates.

Finally, about the comment the member made about winning students back, our adult education initiatives are part of learning to 18. We know we have to keep students in school, but we also have to bring them back if they do leave.

1650

**The Deputy Speaker:** The member for London North Centre has two minutes to respond.

**Ms. Matthews:** I think the comments we've had over the last round of two minutes really does indicate the range of opinion on this bill.



Although I thank the member for Parry Sound–Muskoka for his comments, I’m disappointed that he calls this not practical. He says it won’t do any good. I guess that just demonstrates the thought that these kids don’t have the potential to achieve. It’s so not where we’re coming from and it’s so where the previous government came from. I’m disappointed.

It’s important to note that there are some circumstances where it’s not the right thing for somebody to stay in school or to stay learning until they’re 18. This bill allows for exemptions under special circumstances. So some of the arguments you’ve made really are addressed in this legislation. This bill challenges our educators to capture the imagination of their students to keep them engaged, to keep them learning. They have to do that under this legislation.

The member from Toronto–Danforth raises an important point: the link between nutrition and the ability to learn. It’s one that I’m familiar with. I agree that that link does exist. But I also think it’s important to recognize that under this government a single parent with two children has actually seen a 16% increase in their benefits since we were elected.

Member from London–Fanshawe, I thank you so much. Your commitment to issues like this is exceptional and it’s a pleasure having you in my next-door riding.

To the member from Don Valley West, you’ve shown commitment on issues around education and you understand the societal implications of having a good, strong education system.

**The Deputy Speaker:** Thank you. Further debate?

**Mr. Frank Klees (Oak Ridges):** I’m pleased to participate in this debate. I’m going to spend a considerable amount of time talking about what I believe is the real intent of this bill. I’m going to bring to the attention of members of the Legislature the opinion of parents as well as education stakeholders and read into the record a number of those opinions. After all, we are talking about public education, and this government appears to be intent to take the “public” out of public education.

What I mean by that is that the foundation of public education is the parents, who are also the taxpayers who pay for that education. Even though there are some who would say that public education is free, it is not. It is a very expensive, very worthwhile investment on the part of government into education, into a program that is there to ensure that our young people have the knowledge and the skill to cope when they graduate and enter into the real world in competition with students and workers from other jurisdictions. It is not free. It is, as I said before, an important investment on the part of government. However, it is an education system that has, historically, served the public, that is accountable to the public and that is responsive to the public. Hence, a public education system. We have seen, since the election of this government, successive pieces of legislation and successive attempts made to undermine the public aspect of this, the accountability aspect of this to the very people who should be able to count on this public education system

to provide for their children the quality of education that they want for them.

I want to review, and will do so over the next number of minutes that I have, how that has come to be. It’s interesting that successive—when I say “successive,” The previous Minister of Education, who is now running for the leadership of the federal Liberal Party, and his successor, the current Minister of Education, have in fact been using the education system and education policy as a political tool. What is most interesting is that they continue to protest that. If you recall Bill 78, even within the context of that debate and in statements made by the Minister of Education repeatedly about that bill when it concerned specifically the restructuring of the Ontario College of Teachers, the statement was made by this government and by the minister and other members of the Liberal government here that the reason for the restructuring is that they wanted to depoliticize the realm of education. And yet that is precisely what this government has done, more so than any other government ever in this province. They have used public education policy as a means of repaying very specific political obligations. We heard again today, even in the course—the parliamentary assistant admitted that.

We have before us yet one more piece of legislation that I believe undermines public education. It doesn’t strengthen it; it undermines the very principles of public education. So you can conclude from my introductory remarks that we do not support this bill. It may come as a surprise to you, but it won’t come as a surprise to parents who are observing this debate and to stakeholders who observe this debate, because they know that our education policy is based on some very clear principles and values. There is in this policy, in this bill, very little that supports public education. In fact, this is more of a political document that imposes on Ontario students and their parents a punitive policy. It does a number of things. I’m going to, at the outset, itemize those and then I’ll speak to them individually.

This bill will, we submit, be counterproductive to students. It will not help them. It will create hardship for many families. It ignores the reality of life in many parts of this province. It creates yet another layer of bureaucracy, very expensive bureaucracy, in the education system. It covers up the real cause for students’ underachievement. Finally, this bill does nothing to address the real issues of creating a positive learning environment for those students for whom the existing system is not working.

It’s an interesting document that we have before us, but as I indicated, I believe that it’s a cover-up more than anything else. It is, as was said by the parliamentary assistant, a commitment. Actually, it is a follow-through on an election commitment that was made in an election document.

**1700**

There are many parents who are observing this debate, and they’re asking, “If you’re going to follow through on this promise, why are you not following through on the



promise you made to autistic children and their families that the government, that Mr. McGuinty, when he became Premier, would extend funding for autistic children and give them the same fair and equal opportunity to learn and to develop life skills as any other student in the province?" Why be so selective? Why come forward with this legislation that is, without question, very, very conflicting in terms of the support, very controversial? Even the teachers' federations oppose this bill. They have been urging the government not to proceed, to rethink what they're doing here. I know of very few education stakeholders who support this legislation.

So parents of autistic children, who are wrestling daily with the challenge of affording their children an equal opportunity for an education, are asking the question of this Premier, of the Minister of Education, why? Why take legislative time, why invest additional funds in a bill, in an initiative that, quite frankly, in the order of priority, when you consider that there are young children in this province who are struggling just to have the opportunity to learn language and speech, to communicate in the very basic fundamentals of how to carry on their lives—this government is turning its back on them. Having made the promise, they're parading now with great fanfare the fact that they're willing to follow through with this bill.

There would be those of us who would say the government should be brought to account for that, and I believe they will be. I believe, as people across the province get to know what this government truly is doing with education policy, they will come to understand that it's much less about serving the students and the parents of this province and ensuring that public education carries out the mandate of education and it's much more, in the mind of this government, to placate certain stakeholders, to placate certain interest groups, because it's in their political interest.

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** No, it's for the kids.

**Mr. Klees:** The member carps, "No, it's for the kids." I would say to the member, because he obviously wasn't here when I put the question, if it's for the kids, why not the autistic kids? If it's for the kids, why not for those children who are suffering every day and those parents of those children who are simply asking the government to keep their promise? Autistic children, why not for them? Is the honourable member suggesting to me and does he dare suggest to his constituents that forcing a young person to stay in school until they are age 18, whether they want to or not, is more important than making it possible for a child who doesn't have the ability to learn the basic fundamentals in life to be there? I would suggest, if he calms down and thinks about this issue as a father—

*Laughter.*

**Mr. Klees:** I'm surprised. Mr. Levac laughs at me. I'm surprised. If you think about this as a parent, and if you think about what the fundamentals are that are at risk and at stake here, I'm surprised that members of the

Liberal Party, that members of this government, would dare to carp during this debate on that issue, because they leave themselves exposed on a very, very important issue.

I'd like to move on and read into the record for honourable members some opinions from parents, from the public, from individuals who have taken the time to write to the Minister of Education but who have been ignored. This, again, is a hallmark of this government; it certainly has been a hallmark of the Minister of Education. Time will tell whether the current Minister of Education will carry on with that reputation of ignoring parents, ignoring stakeholders, refusing to even acknowledge that they have phoned, that they have called, that they have sent an e-mail, that they have written letters. As the education critic for the official opposition, often those letters are then redirected to me with an appeal, advising me that they are being ignored by the Minister of Education and asking if I would assist at least in reminding him that people have an issue and encouraging him, urging him to respond.

I want to read into the record an e-mail that I received from Mr. Gerald Dickson. Mr. Dickson is from Kingston. He wrote the following in response to the government's announcement of this bill. It was actually initially addressed to his MPP, Mr. Gerretsen. It was copied to Gerard Kennedy and myself as well as Mr. Marchese, the education critic for the third party.

"I am writing you concerning impending legislation that I understand will prevent people under the age of 18 who have dropped out of school from obtaining a driver's licence. This is bad legislation for the following reasons. I urge you to oppose it."

This is directed to Mr. Gerretsen, who is Mr. Dickson's member of this House. He's urging his MPP to oppose it. We'll see whether Mr. Gerretsen takes his constituent's advice.

I continue with the letter:

"I appreciate that it has been adopted by several US states. It is bad there, too.

"For the record, I am a 57-year-old professional engineer. Neither I nor any of my family members will be affected personally by this legislation. I certainly agree that it is laudable to encourage young people to remain in school to at least the age of 18.

"However there is no reason why someone who has dropped out of school may not acquire the skills and behaviour to pass a driver's test and keep a driver's licence. Yes, a driver's licence is a privilege, but it is not a privilege that a government should ... deny any its citizens as a means of social engineering, and that is what this legislation would do. Acquisition of a driver's licence should depend only on being able to acquire and demonstrate the skills and behaviour needed to operate a motor vehicle safely—nothing more. Legislation such as this increasingly restricts personal freedoms for purposes that are not necessarily in the interests of those it affects.

"I would expect a government that is successful in implementing such legislation to move on from this to



other social engineering legislation, increasingly restrictive and even sinister. I hesitate to suggest examples.”

I wanted to read this into the record because it’s representative of literally hundreds of e-mails with a very similar appeal, and that is that the government should find other ways of dealing with this issue of motivating young people to stay in school.

1710

In fact, when I first saw this bill, I had a concern about the very title of the bill, which reads, “An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act.” Here was my concern: We have before us a bill that is legislating learning. It’s interesting that this government—this minister—does not understand that learning is not something you can legislate. Learning is what is done by the student. Others teach. It is the role of government to provide a learning environment. It is the responsibility of government to ensure that the resources are there to teach, that the resources are made available so that a child or a student can, in fact, apply themselves to learn. But for this government to come forward with the arrogance of suggesting that they can legislate that someone will learn is beyond reason.

Any of the pages that we have here, they’re motivated young people. One of the reasons they’re here, as we all know, is that they’re at the top of their class. The competition is high to get here, so we congratulate them for being here. But they’ll be the first ones to tell you that no law is going to legislate that they will learn; learning is something that they have to do of themselves. If they don’t have the motivation to do that, we can do all of the teaching we want, we can provide all of the resources we want, but if the trigger isn’t there within these young people to actually do the learning, it won’t take place.

So if, in fact, the government were straightforward, what they would have done is appropriately named this bill. It would have read something like, “An Act to amend the Education Act to force young people to stay in school and sit in their seats, whether they’re learning or not, until they are age 18.” But they didn’t, you see, because it sounds a lot better when you say that they will learn to age 18. Everybody says, “We can’t argue with that; of course people should learn to age 18.” I would say, if it’s that, people should be learning beyond age 18—far beyond. None of us should ever stop learning. But it is the attitude of this government, you see, that they can force people to do things—will legislate them to do it. It doesn’t matter about people’s freedoms, doesn’t matter about people’s rights.

There’s an interesting common theme that weaves its way through many of the bills that we’ve debated in this place. It’s that issue of government knowing best. It’s the fact that the minister knows better than anyone else what’s good for you, so the minister is prepared to set himself or herself up as the official parent of the province of Ontario. I submit that if the minister were to focus on his or her responsibility as the Minister of Education for

all of education in the province—which is, in fact, the mandate—and focus on those things that will motivate young people to stay in school, that will help young people to learn, to do what has to be done, to ensure that the education takes place—that should be the priority of the Minister of Education, rather than wasting her time and wasting our time in this House debating a bill that is undermining young people and actually, in the final analysis, will be counterproductive.

I want to refer to another letter that I received. It’s an e-mail that was sent to me by Mr. Martin McKillop from Sudbury. He writes as follows:

“I have a degree in public administration, and I have worked at Queen’s Park, so I know a little bit about public policy-making, sound or otherwise.

“I have three kids, grades 7, 9 and 11, and no worries about them moving through high school successfully. I rarely express my opinions to the powers that be. I do, however, feel compelled to tell you that, in my opinion, the proposal to deny a driver’s licence to teens that drop out is not only the most ridiculous proposal to come down the pike in a long time, it is also likely discriminatory under the age provisions of the charter.

“I also completely fail to see how it will do anything to solve the dropout crisis, unless you think blackmail works. Since when do drivers’ licences and success in high school correlate? Since when does a government have a right to resort to blackmail? And make no mistake: That is exactly what is perceived to be and, in my opinion, actually is in this bill. It is blackmail.

“Tell your ADMs and cabinet members to get serious about a serious problem and stop thinking that our youth can be blackmailed into staying in school. You can get them”—your staff, that is—“started by telling them that it is all about curriculum, teacher apathy, parental indifference, scarce resources, outdated objectives, political dogmatism and public skepticism, and that it is absolutely ridiculous to think otherwise.” This was sent to Gerard Kennedy.

The issue here, and what people are taking exception to, is the fact that this government, under the guise of this legislation, is taking the heavy-handed approach of forcing young people, notwithstanding their personal circumstances, notwithstanding the circumstances of their families, and, through this legislation, will inevitably create hardship for many families across this province.

I found it interesting that the member from London North Centre referred, in her debate on this bill, to a great example in her hometown of work that is taking place now and of a facility that is providing alternative learning for students who had dropped out of high school. Apparently, this program is working well, and what’s unique about it—although I’m not personally familiar, I take her at her word—is that this facility is accommodating those students because they learn differently. It’s a different setting. It’s a more practical approach. It’s an approach that actually works for students. It’s not an in-school setting. It’s not the setting that the students who were there became bored with, bailed out of, wrote off because it wasn’t working for them.



Here is why I raise this issue: because I'm sure every member in this House is familiar with similar programs, very successful programs within our constituencies, where young people who have dropped out of school for one reason or another re-engage, are reconnected with a learning environment that's more conducive to their ability to learn, and get on with life.

The member from London North Centre refers to this very successful program at the same time as she, as a member of the government, is saying, "Notwithstanding that, we need a new piece of legislation that will actually force young people against their will to stay in school, and if they don't, there will be serious penalties." To them, they won't get their licence. To any potential employer who may hire them, there's a \$1,000 fine if they're found to be giving a job to a young person because they dropped out of high school.

1720

You see, there are programs already in place in this province—many of them—that serve the very purpose this bill pretends to address. Our career colleges do exactly that. I'm familiar with many programs that are being administered through the career colleges that deliver those programs. So to you, Speaker, I put this question, and through you to the Minister of Education and members of the government, who seem to need this Bill 52 as a prop simply to fulfill an election promise because they broke 223 promises. This is one that they're now going to parade in front of the public to say, "We keep our promises." Well, this is the one you shouldn't have kept, along with the one to cancel the tax credit that allowed individual families across this province to educate their children in an independent school. They are still paying their education property taxes, they are still paying through their income taxes for the public education system, but they chose, in addition to that, to pay the additional tuition so that their children would have the choice of a unique education. They, as parents, chose to do that, and this government punitively cancelled that tax credit retroactively, and did so with glee. That's one they shouldn't have kept either. So two promises kept out of 223, the rest broken, and to what end?

I was speaking about our community colleges. There are many advantages that we already have existing today, many programs that are being delivered through our community colleges. For the benefit of members of the Legislature who may not be aware—look, it's possible that many members are not aware that these programs are being delivered, that the capacity is there for community colleges to deliver these programs. If this government should be doing anything, it is to take the punitive measures out of this bill, and rather than doing that, to collaborate and co-operate with the community colleges in this province to deliver on the motivational side of the intent of this bill and ensure that young people have options; that they know those options are there so that if, for one reason or another, the high school environment is not one where they're fitting in and isn't conducive to

their learning, there are alternatives. There should be bridging and introduction programs for any students who may be at risk of dropping out. But this is the positive side, and that's the way the government should be conducting themselves on this issue.

Ontario colleges offer the following opportunities: They provide, first, an adult learning environment that's quite different from the public elementary and secondary schools, and that's very important. It may well be that the environment itself is something that isn't conducive to a young person's ability to learn. So there is that unique environment of a community college that may well trigger in a young person a new interest, a renewed interest in learning. Ontario colleges have career-based education and training that help students to set targets for specific occupations. Students develop a clear sense of how the skills and knowledge they acquire will help them to succeed in the workplace.

Contrary to what some may think, not every young person is built for the academic world. There are those who simply will not succeed within the traditional school environment. What is happening here is that the government is sending a signal to those young people that if you don't fit in there, there's something wrong with you, as opposed to taking the view that there are alternatives, and those alternatives are also part of our public education system, and we're letting you down by not allowing you to see and catch the vision of what you can be simply by taking a different path. There are many practical careers available to young people in this province about which they just need to be enlightened. They just need to be given the awareness that not making it in the traditional school setting doesn't mean they're condemned to a life of failure.

What it means, simply, is that there are other opportunities for them. That's the role that our school system should be playing: helping young people to take a glimpse of their future, helping them to understand that there is a public education system available to them that will help them become productive and give them a sense of confidence and worth within our community. I believe the community colleges do that extremely well, but what we need to do is ensure that the appropriate bridging programs are there to give them that insight.

Ontario colleges provide hands-on opportunities in those trades and technologies that can help many students to regain self-confidence. They also offer literacy and numeracy programs and other programs to help students to upgrade their skills. Above all, they have already an existing history of collaboration with local school boards to help develop those programs and to deliver them.

I listened to some of the debate. I heard what the Minister of Education and the parliamentary assistant had to say, and it seems as though, for the uninitiated, that through Bill 52 this government is somehow recreating the world and creating new opportunities that never existed before. On the one hand, that is either a lack of knowledge or understanding of what is taking place in the education sector and the programs that are available,



or it is a blatant attempt to—how can I put that? I would never suggest that there's a blatant attempt to misrepresent. I would never do that because that would be unparliamentary. So I'm sure that it must be simply an ignorance of what is there. Hopefully, through this process the government will become more aware of what is there, but we don't need to duplicate and we certainly don't need to overlay an already existing, well-functioning and highly effective system with a level of bureaucracy that is only going to drain important public dollars that should and could otherwise go into those Ontario colleges or into other programs that will make this learning experience much more meaningful for young people in our province.

I'd like to move on to another e-mail that I received, this one from Heather Chisvin. It's a very interesting perspective that Ms. Chisvin brings to this debate, and I quote:

"I have a 16-year-old daughter who is having trouble with high school. As she wants to be a hairdresser, she found a job with a local salon and started apprenticing only to find out that about five years ago, legislation was enacted that makes it impossible to become a hairdresser without a high school degree.

"If the new legislation is enacted, she won't be able to drive, or get a job. I'm not sure who all this legislation protects. Certainly not my daughter—she now can't work or drive unless she can finish high school. So that means she either sits home or does what she needs to do to become a productive member of society, illegally.

"Is there anything I can do to help stop this legislation from being enacted?" Ms. Chisvin asked me.

1730

My advice to her and others who are observing this debate is to put pressure on your local Liberal MPP. They're the only ones who will have the opportunity, the ability, to reach the Minister of Education. You see, the Liberal Party has a majority government and so they don't really need to listen to the public. They should. Anyone who's elected as an MPP should be listening to their constituents and taking advice and input from their constituents and from groups of constituents. The higher the volume gets within our constituency, the more we should be listening. But this government somehow must issue earplugs to all of their members, because the higher the volume goes on an issue, the more they duck, the less they listen and the more they come together and huddle and say, "No. Against all reason, we will forge ahead with this legislation." That's not how our democratic system of government is intended to work. I don't believe, in the final analysis, that it will serve this government well, but they're certainly experimenting with that strategy.

There is an opportunity for the electorate to pass judgment on how this government is conducting itself with regard to these important public policy matters. You see, if members of provincial Parliament are not prepared to listen to appeals either from individual constituents or from groups of people who are coming forward as stake-

holders in public education; if they're not prepared to listen to the proceedings that are available through standing committees; if they're not willing to respond to appeals from the official opposition or the third party to implement amendments, to at least incorporate some amendments into a piece of legislation to make it more reasonable; if they're not prepared to do that, then there is an opportunity for the electorate, for those constituents, to express their will. That will be October 4, 2007, not long down the road.

I would encourage people to become engaged in that process. It's said that if you don't become involved in the political process, you are destined to be governed by those who do. That is an encouragement to people to get involved. I believe that we should in fact be engaging many more people in this exercise of democracy. Unfortunately, they become unmotivated when they exercise their rights as individuals to appeal, whether it be to a Minister of Education or to MPPs, and then they're ignored, or telephone calls aren't returned or e-mails are ignored. Shame on any member of this House for doing that, because we work for those people; it's our job. Any call from any constituent should be the most important priority that we have on any given day. That's why I ask the Minister of Education how in good conscience the office of the Minister of Education can ignore hundreds of e-mails on an important issue such as this. How can that happen? The member opposite from the riding of Brant, the chief government whip, is perplexed as well about that, because I know that he doesn't conduct his business that way. So is it any wonder that we have public policy going astray here in the face of a great deal of public opposition?

I want to bring to your attention another issue that we're appealing. I'm going to make an appeal now to the government that they will entertain a number of amendments, but one specifically that relates to the many families in this province who are involved in home schooling. I must have received, if not 100, then at least 200 or 300 letters, e-mails and phone calls from parents who are doing home schooling. I'm going to read a couple of these letters into the record because I think it's important that their view is understood fully by this Minister of Education, because clearly she is not reading her letters. If at least other members of the Legislature and the public who are observing this debate will understand what those issues are, then I will have done my job.

I want to read this first letter from Georgie Donais of Toronto. This is addressed to Ms. Pupatello. I doubt very much if Ms. Pupatello has seen it, and if she has, I would doubt equally that she would ever respond. I'm going to read it into the record:

"Dear Ms. Pupatello:

"I am writing to express my concerns with the 'Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act,' also known as Bill 52.

"As a parent to two home-schooled children, I am concerned about how this bill might affect my children's



ability to move freely in society, and to attain an important piece of identification, since their daily learning does not include attendance at a public or private school.

"For children in general, in school or not, I am concerned when I see measures meant to punish them for non-attendance. In my opinion, if schools are not offering something that engages students and helps them want to be there, then it is the school that must change for the student, not the other way around. I have heard once too often from people involved in the education system that there are children who 'just don't want to learn.' I'm needing some understanding that they might not want to learn what is currently being taught, and that it's the school's job to offer them what they do want to learn more about, and in such a way that it honours their need for respect, autonomy and their many different ways of learning.

"I therefore second the Ontario Federation of Teaching Parents' position that recommends and urges that the government abandon Bill 52, abandon plans to raise the compulsory school age, abandon any plans to link school attendance and drivers' licences, and work within the bounds of existing legislation to implement its positive plans to provide more support, choice and opportunity to young people as they transition through their secondary education to the post-secondary or post-educational destination of their choice.

"Sincerely yours,

"Georgie Donais."

I think you'll agree that Ms. Donais has very succinctly pointed out the weakness of this legislation, and also the unfairness of it, to a very large and growing group of students in this province who have been home-schooled. They're asking for that consideration.

I'm under no illusion that this government won't press ahead with this legislation. It obviously has become a cornerstone of their education policy. At the very least, what I'm going to appeal for is the inclusion of an amendment that will allow for exceptions for those children who are being home-schooled. I would also expect, in light of the fact that this minister has repeatedly made it clear that she holds in disdain independent and faith-based schools, that she would also entertain an amendment that would exclude independent and faith-based schools, over which the minister and the government continue to say they want no control. That notwithstanding, by virtue of being the government and by virtue of being the Minister of Education, the Minister of Education has responsibility even for those schools, and should have, and should take pride in the learning that takes place in those institutions in our province. So I'll be very interested to see whether the minister will in fact accept our proposal for an amendment.

1740

I want to just give you an example of one more letter relating to the issue of home schooling. This letter comes from Bonni Altenpohl from Brockville. She says the following:

"I am writing to express my disappointment. It is my wish that Bill 52 is not passed into law as it is written. My position on this matter is similar to that of the Ontario Federation of Teaching Parents. I believe you have already received detailed information from this organization regarding their position....

"My husband and I have decided to assume responsibility for our children's education. We take full advantage of our right to provide a home-based education within our family. We feel our children are in the best possible situation, given our family's circumstances. As home schoolers, we are able to schedule our day around our family's needs and habits. We are able to focus on our children's talents and interests."

She goes on to provide a number of examples of how this legislation would, in fact, result in hardship to their family, to their circumstances and the unfairness of this legislation. She goes on to say, "I do hope you consider home schooling as you pursue Bill 52." Again, this was addressed to the Minister of Education, Ms. Pupatello. I have many letters here to the exact same issue.

I want to turn my attention to the fact that this legislation not only misses the mark in terms of fairness, in terms of substance but, as I mentioned earlier, overlays another layer of bureaucracy, not only into the education ministry and education system but also now imposes on the Ministry of Transportation. As a former Minister of Transportation, I can tell you that the last thing the Ministry of Education needs is the added responsibility to police 17- and 18-year-olds who may not be in school. Nowhere have I ever seen anything from the Ministry of Education that there is a funding allotment to that ministry for the additional staff, for the additional administration, for the systems changes that have to take place and how the ministry expects that liaison to work between the board of education, where also now you're going to hire some more police—licence police. Truant officers now will become a new career in the province. Maybe that's part of their intent, that you make this illegal and so we're going to need more truant officers. There's employment for you: Let's go out and hire another 1,000 people to police young people to see if they're dropping out or not. It's irrational, it is impractical, it is unenforceable. It is beyond the ability of the Ministry of Transportation to cope, and it's beyond the ability of boards of education to cope as well.

Every member in this place has heard, without question, from their school board trustees, from their directors of education, that they are facing serious funding issues this coming fiscal year. There will be deficits—multi-million dollar deficits—in every school board in this province because of the policies of this government of announcing targeted new programs and rolling out new programs. These people never stopped electioneering. The rhetoric continues, new programs by the week, but no money. Of course, the school boards can't say very much because they're intimidated by the minister. They don't dare say that this is something that they can't cope with.

*Interjections.*



**Mr. Klees:** Here we go. The members opposite are catcalling again because they don't like the truth. You see, the truth hurts.

I just want to point one thing out. This goes to the bizarre way that this government continues to attempt to fool the people; it's all through their rhetoric. I'm going to give you an example.

Since the new Minister of Education was appointed, there have been numerous—I'm holding them here as a deck of cards—press releases and announcements. But here's what's interesting, and this is what I don't think the average person in this province catches on to: the subtlety of the messaging and what they're trying to do here to the people of Ontario.

Listen to this. Here was the first one, May 29: "Student Success Commission to Focus on Greater Student Achievement." Here's what the minister said: "Our government is on the side of Ontario families who want the best public education for their children," said Pupatello."

Interesting. Here's the next one, May 30: "A New Transition Plan to Help Struggling Students Prepare for High School." Here's the quote from the minister—this is the next release: "Our government is on the side of Ontario families who want the best public education for their children," said Pupatello."

Here's the next one, June 1: "Legislation Passes to Boost Student Performance." Here's the quote from the minister: "We are on the side of hard-working Ontario families who want the best public education for their children."

Here is June 5: "Ontario Students to Benefit from Enhanced Training for Teachers." Here's the quote from the minister. She got up that morning and said, "I'm going to say something new to the people of Ontario." Quote: "We are on the side of Ontario families who want the best public education for their children."

June 8: "McGuinty Government Invests \$50 Million in Special Education Reforms." Here's the quote from the minister: "Our government is on the side of Ontario families who want the best public education for their children," said Pupatello."

Who are we kidding? There's a propaganda machinery in that Ministry of Education like none other. They know how to make announcements, they know how to announce new programs, but what they don't know how to do is to manage competently. What they need to do is stop making new announcements and fund the ones that they've made, fund the commitments that they've made, and ensure that the trustees and the school boards across the province who have the burden and the responsibility of carrying out programs actually have the resources and the money to fund all of those commitments. No, that's not what this government's about.

This government knows very little about competency. This government knows very little about responsibility. It knows very little about how to manage. They know how to make announcements. They know how to electioneer. But it's catching up to them, you see? The reason it's

catching up to them is because you can only do this for so long and the rubber hits the road.

Where the rubber is hitting the road now is that, as they come through this stage of their government, what is going to happen is that the stakeholders are waking up and they realize they've been fooled. Parents are waking up and realizing they've been fooled. Whether it's parents of special-needs children who have been suffering because school boards have had to shuffle money from special-needs programs to other areas of very specified demands from the Minister of Education—and by the way, we're not even talking now about the four-year contracts that are underfunded: a multi-billion dollar shortfall in funding.

1750

Day after day, this Minister of Education continues to stand before people and make new announcements. We're going to track. I'd be willing to bet that by the end of the year we'll have another dozen of these: more commitments without the appropriate funding.

Folks, you as the government will have to be responsible to the electorate, who will hold you accountable. You're being irresponsible now. You're turning your backs on those parents to whom you made very real commitments about looking after the special needs of their children. You're turning your backs on autistic children and their parents. You are ignoring the very real needs in families across this province, and you dare to come forward with Bill 52, which does nothing to advance quality education. It does nothing in a practical way to address the real needs of those young people who are craving a motivation. They're asking their government, "Don't take my driver's licence. Give me a reason to stay in school. Give me the practical programs that I need. Help me to learn, because I learn differently." That's what it's all about.

**Mr. Brownell:** That's right. That's what we're doing.

**Mr. Klees:** The member opposite carps again, to his detriment. I'm going to close my remarks by asking him how he can, in good conscience, support this bill when he knows that his government, his leader, his Premier have turned their backs on autistic children and their parents after promising that they would extend support and funding to autistic children beyond the age of six. They've refused to do it. They refuse to be fair to those most vulnerable in our society, and the people of this province will hold them accountable for that.

**The Deputy Speaker:** Questions and comments?

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to make a few remarks on the lead speech by the Progressive Conservative caucus's lead critic on this file, Bill 52. Unfortunately, we haven't had the opportunity to hear from the NDP critic yet on the issue, but I would hazard to say that some of the concerns that were raised, perhaps coming from a different perspective, are consistent with ones that New Democrats have already put on the record. I think it's interesting that the member relied heavily on letters and comments he has in his file from regular people in Ontario who are equally concerned about the direction that this government is going



in regard to Bill 52, the Education Statute Law Amendment Act, particularly people whose voices were brought to the table by the member from Oak Ridges, parents but also just interested people of Ontario who are raising issues around the possibility that this bill is a punishment of students who are not thriving under the current education system.

There's concern about the fact that the withdrawal or withholding of a driver's licence from students who are not achieving in high school and are looking for other options is a form of blackmail or punishment, and it's simply inappropriate for government to undertake that kind of punitive relationship with students.

Also, the member talked about lifelong learning, which of course is a principle that we would all agree to; however, recognizing that lifelong learning is something that is not necessarily done within the formal structure of schooling as we know it.

The member also spoke a great deal about the fact that the supports and the choices the government talks about simply aren't in place and are not clear in the bill, and also the added cost in bureaucracies to both the education system and the transportation ministry in that regard.

**Mr. Jeff Leal (Peterborough):** Indeed, it was interesting to listen to the remarks of the member from Oak Ridges. Gosh, what comes to mind is that it's one of these conversions, just like Saul on the road to Damascus. We remember his good friend the Oklahoma cowboy, John Snobelen, the man who said that he was going to create a crisis in public education in the province of Ontario. He succeeded for eight long years.

When you look at the statistics, back in 1998, as part of the crisis, we had a high school graduation rate of some 78%. By 2004-05, that dropped to 68%. We had 51,000 students in the province of Ontario dropping out of high school without enough credits to graduate, 51,000 people who have great potential, whose potential needed to be tapped. Bill 52, Learning to Age 18, goes a long way to achieve that. Bill 52 will allow students to achieve success, be the best fit possible for each student's potential. It will instill willingness and capacity for further learning, have a core of common knowledge, skills and values.

It's been 50 years since the Education Act has been updated in Ontario to move it from age 16 to age 18. This, indeed, when you look into this legislation, which will go to committee for review, is an opportunity to reach those 51,000 people. In the world we face today, in the Ontario we face today, we can't afford to leave 51,000 people sitting on the sidelines without opportunity. This bill targets that group. It's an important piece of legislation, a piece of legislation that needs to go forward to bring back positive learning for that particular group in Ontario. After eight years of chaos, I think Annie Kidder said it best in her report not too long ago: "The crisis is over in Ontario."

**Mr. Cameron Jackson (Burlington):** First of all, I want to commend my colleague the education critic for our party, the member from Oak Ridges, on the kind of thoughtful work he's done on this file. I just have to say,

we could have been here all day with all the documented letters from individuals across this province who are essentially saying one thing: "Where the heck did you come up with this idea?"

If we look to the origins of this, we were misinformed by the Minister of Education on the statistics—

**The Deputy Speaker:** No, no. I'd prefer the member to withdraw.

**Mr. Jackson:** I withdraw—the misinformation that was perpetrated by the minister by referring to Stats Canada. And now the member for Peterborough falls into the same trap, parroting the inappropriate numbers when the matter has been clarified.

Stats Canada: The true dropout rate over the last five years in this province is slightly under 10%, or at or near 10%. Again, that includes a couple of years of the current government's efforts. So to condemn outright the policies of the former government when, in fact, our dropout rate had lowered, misinforming the House—

**The Deputy Speaker:** No, no. I think "misinforming" and then "misinformation"—those kinds of words I'd like you to withdraw and then consider other words.

**Mr. Jackson:** I will withdraw. The word "misinformation," Mr. Speaker, has been used in this House in the last week. "Misinformation" was used on three occasions on the same day, last Tuesday, in this House.

**The Deputy Speaker:** I'm not debating the issue. I'd ask that you withdraw, that's all, or use other words. That's all.

**Mr. Jackson:** I've already withdrawn.

Frankly, if the member from Peterborough continues to use these statistics when, in fact, they're clearly wrong, they're not adding to the true importance of debate that needs to occur on this important subject.

**Mr. Dave Levac (Brant):** I appreciate the opportunity to enter into the debate over the two-minuter. One of the things I think we're failing to do—the member from Oak Ridges, if I peel away the onion skin and talk about one of the things that he mentioned that I do agree with him 100% on, it is to try to find the programming that entices people to continue to learn. What he characterized, unfortunately, was that it was going to be a student at 18 years old sitting in the desk in front of the teacher in the same school. Unfortunately, that's not celebrating the great programs that are happening in our province as we speak.

Some of the wonderful recapturing of the essence of what we should be doing for students is happening in my riding, is happening in ridings across the province, where we're re-engaging. We had a graduation ceremony in Brantford that represented 32 different students who, until that point where we reinvented how we provide that education—we celebrated 32 new people. They were all guaranteed spots in college because of what they were doing, what those wonderful teachers have done, what those wonderful administrators have done and those supportive parents who came to us during that time and asked, "Is there a way we can continue to get our children to learn until they're 18 and beyond?" That's what this is.

Let's stop playing games with who said what and where; let's talk about our kids. Let's talk about those kids who have been failed as a result of our refusal—sticking a square peg in a round hole. It's time for us to start talking about what success should be. We should be celebrating those successes. We should be talking about what new, innovative ways we are getting those kids away from the streets, away from the bad choices and away from the people who are making them make bad choices. Yes, they're responsible for some of the choices they've made, and in my discussions with them they are accepting that responsibility. They are now saying, "Do you know what? You're on our side. We're going to go to college, we're going to get a job and we're going to contribute to our society." That's what we're talking about, and we should stay focused on that.

**The Deputy Speaker:** The member for Oak Ridges has two minutes to respond.

**Mr. Klees:** I want to thank the members from Peterborough, Hamilton East, Burlington and Brant for their comments.

I want to thank especially the member for Brant because he makes my point and he makes it very well, that there are already existing programs in this province that do precisely what we know needs to be done: meet the needs of our students. What we don't need is a piece of legislation that is draconian, that is punitive, which is represented in Bill 52. That is my point.

That is why I am objecting and why we as the official opposition will soundly vote against this legislation, because it does not do what the member from Brant says. What it does is it paints the wrong picture about students in this province, who need to be celebrated; I agree. They don't need to be threatened with a withholding of their driver's licence; employers don't need to be threatened with a fine of \$1,000 for hiring someone into a part-time job because they happen not to be in high school. What we need to do is celebrate their differences, celebrate their unique way of learning and ensure that our education system is there to meet those needs. That's what we need to do. This bill is a desperate attempt by this government to cobble together results, to backfill an irresponsible campaign commitment by this government. That's what this is.

I believe the people in this province—parents across this province, education stakeholders—will see this bill for what it is: a political document. It is bad public policy. It will not do what the member from Brant says needs to be done; that is already being done. We need to support those kinds of programs, and he has my full support and the support of the official opposition for those kinds of programs.

**The Deputy Speaker:** It being 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior- Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins–Baie James	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Ottawa–Orléans	McNeely, Phil (L)	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Trinity–Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	<b>Arnett, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	Elliott, Christine (PC)
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	Zimmer, David (L)
Peterborough	Leal, Jeff (L)	Willowdale	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	Munro, Julia (PC)
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York North / York-Nord	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	Sergio, Mario (L)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale–High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## TABLE DES MATIÈRES

Lundi 12 juin 2006

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

#### Subventions destinées à l'éducation

M <sup>me</sup> Pupatello .....	4490
M. Klees .....	4492
M. Marchese .....	4493

### QUESTIONS ORALES

#### Politiques fiscales fédérales- provinciales

M <sup>me</sup> Wynne .....	4499
M <sup>me</sup> Bountrogianni .....	4499

### DEUXIÈME LECTURE

#### Loi de 2006 modifiant des lois en ce qui concerne l'éducation (apprentissage jusqu'à l'âge de 18 ans), projet de loi 52,

M <sup>me</sup> Pupatello	
Débat présumé ajourné .....	4522

### TROISIÈME LECTURE

#### Loi de 2006 créant un Toronto plus fort pour un Ontario plus fort, projet de loi 53,

M. Gerretsen	
Adoptée .....	4494

### SANCTION ROYALE

Le lieutenant-gouverneur .....	4507
--------------------------------	------

# CONTENTS

Monday 12 June 2006

## MEMBERS' STATEMENTS

<b>Special education</b>	
Mr. Klees .....	4485
<b>Events in Pickering-Ajax-Uxbridge</b>	
Mr. Arthurs .....	4485
<b>Air quality</b>	
Ms. Scott .....	4485
<b>Peterborough attractions</b>	
Mr. Leal .....	4486
<b>Electricity supply</b>	
Mr. Yakabuski .....	4486
<b>Herbert and Lucille Prue</b>	
Mr. Prue .....	4486
<b>Philippines Independence Day</b>	
Mr. Ruprecht .....	4487
<b>Employment</b>	
Ms. Matthews .....	4487
Mr. Duguid .....	4487
<b>J. Michael Forrestall</b>	
Ms. MacLeod .....	4488

## REPORTS BY COMMITTEES

<b>Standing committee on the Legislative Assembly</b>	
Mr. Delaney .....	4488
Report adopted .....	4488
Mr. Delaney .....	4488
Debate adjourned .....	4489

## MOTIONS

<b>House sittings</b>	
Mr. Bradley .....	4489
Agreed to .....	4489

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>International medical graduates</b>	
Mr. Smitherman .....	4490
Mrs. Witmer .....	4492
Mr. Marchese .....	4493
<b>Education funding</b>	
Ms. Pupatello .....	4490
Mr. Klees .....	4492
Mr. Marchese .....	4493
<b>Ontario Wine Week</b>	
Mr. Phillips .....	4491
Mr. Hudak .....	4492
Mr. Kormos .....	4493

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Tory .....	4494, 4495
Mr. McGuinty .....	4494, 4495, 4498, 4503
Mr. Runciman .....	4498
Mr. Barrett .....	4499
Mr. Ramsay .....	4499, 4501
Mr. Klees .....	4501
Mr. Dunlop .....	4503
<b>Electricity supply</b>	
Mr. Hampton .....	4496, 4497, 4498
Mr. Duncan .....	4496, 4498
Mr. McGuinty .....	4497
<b>Federal-provincial fiscal policies</b>	
Ms. Wynne .....	4499
Mrs. Bountrogianni .....	4499
<b>Environmental protection</b>	
Mr. Kormos .....	4500
Ms. Broten .....	4500, 4503
Ms. Horwath .....	4503
<b>Peterborough Regional Health Centre</b>	
Mr. Leal .....	4500
Mr. Smitherman .....	4500
<b>Young offender facility</b>	
Mr. Kormos .....	4502
Mrs. Chambers .....	4502
<b>Ontario economy</b>	
Mr. Milloy .....	4502
Mr. Sorbara .....	4502

## PETITIONS

<b>Highway 26</b>	
Mr. Wilson .....	4504
<b>Fair access to professions</b>	
Mr. Kular .....	4504
Mr. Leal .....	4505
Mr. Racco .....	4505
<b>Speech and language services</b>	
Mr. Hardeman .....	4504
<b>Workplace harassment</b>	
Ms. Horwath .....	4504
<b>Motorcycle insurance</b>	
Mr. Barrett .....	4505
<b>Long-term care</b>	
Mr. Miller .....	4505
<b>Organ donation</b>	
Mr. Klees .....	4505

## Ontario SPCA

Mr. Dunlop .....	4506
<b>Children's mental health services</b>	
Mr. Jackson .....	4506
<b>Spring bear hunt</b>	
Ms. Scott .....	4506

## SECOND READINGS

<b>Education Statute Law Amendment Act (Learning to Age 18), 2006, Bill 52, Ms. Pupatello</b>	
Mr. Tabuns .....	4507, 4511, 4513
Ms. Wynne .....	4509, 4513
Mr. Miller .....	4510, 4513
Mr. Ramal .....	4510, 4512
Mr. Dunlop .....	4510
Ms. Matthews .....	4511, 4513
Mr. Klees .....	4514, 4522
Ms. Horwath .....	4520
Mr. Leal .....	4521
Mr. Jackson .....	4521
Mr. Levac .....	4521
Debate deemed adjourned .....	4522

## THIRD READINGS

<b>Stronger City of Toronto for a Stronger Ontario Act, 2006, Bill 53, Mr. Gerretsen</b>	
Agreed to .....	4494

## ROYAL ASSENT

The Lieutenant Governor .....	4507
-------------------------------	------

## OTHER BUSINESS

<b>Report, Office of the Integrity Commissioner</b>	
The Speaker .....	4488
<b>Visitors</b>	
Mr. Hardeman .....	4489
Mr. Watson .....	4489
Mr. Marchese .....	4489
The Speaker .....	4489

Continued overleaf





No. 88B

N° 88B

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 12 June 2006

Lundi 12 juin 2006

Speaker  
Honourable Michael A. Brown

Clerk  
Claude L. DesRosiers

Président  
L'honorable Michael A. Brown

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 12 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 12 juin 2006

*The House met at 1845.*

### ORDERS OF THE DAY

#### EMERGENCY MANAGEMENT STATUTE LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA GESTION DES SITUATIONS D'URGENCE

Resuming the debate adjourned on June 7, 2006, on third reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / *Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.*

**The Acting Speaker (Mr. Michael Prue):** On the last occasion, we were in the middle of debate. I do not see the member present who was here at that time, so we will go in the next order and I would call upon the members of the official opposition. The member from Simcoe North, you have the floor.

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased to be able to take part in I guess the leadoff section of our debate on Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997.

This bill has gone on for a while. As you know, it was drafted originally and began, I believe, in the summer of 2003, following SARS and the blackout. It started out, as you may recall, as a committee bill. We hadn't really worked a lot with committee bills, but I think it was Bill 38 or Bill 39 at the time that we worked at to try to bring forward some legislation that would give the government powers in case of an emergency. I understand that during the blackout and SARS we actually had times when the government made decisions it may or may not have had the proper authority to do. So this is the sort of bill that in the end we feel needs to—although I've got problems with the bill, we'll likely be supporting the legislation. However, there are a number of comments I'd like to make on the bill tonight just to put them on the record.

As I said earlier, I think the bill was a direct result of the year 2003, when the government was faced with quite a few issues. Mad cow was certainly an issue, the West

Nile virus came into being and there was the SARS epidemic. Of course, the blackout also happened later in August that year. It was a wake-up call for a lot of reasons, and one of them of course was the whole issue around emergency management. As a result of that here we are today, finally, after three years, where I'm assuming there's going to be debate that likely will carry on this evening. I'm not sure whether debate will collapse tonight or not, but we're at the position where we've been through committee, we've been through clause-by-clause, second reading, and of course third reading will end fairly quickly.

**1850**

When I'm making comments tonight, I do want to say a little bit about the summer of 2003. It wasn't an easy year for the previous government, of which I was a member, and I do want to say thank you for the leadership I saw that year from our former Premier, Ernie Eves. Ernie had a very difficult time that year. The SARS outbreak and the blackout caused a lot of issues, a lot of problems. At the same time, these issues and problems made us do a lot more thinking about the types of things we were working with here in a province the size of Ontario, and the types of encounters, emergencies or disasters that may come forward.

I understand the bill was ready. In my conversations with Dr. James Young, who is a resident of Simcoe county—I know Dr. Young is a very strong advocate of this bill. He wants to see the bill passed in some form as quickly as possible. On a number of occasions I have talked to Dr. Young and he has mentioned to me that if we could please proceed with or without amendments—we need the legislation in place.

Three years later, here we are. We've had a couple of slight disasters. I'm not saying they're like anything we've seen with 9/11 or any of those types of disasters, but in this current government we've seen the Peterborough flood. I guess Mr. Leal is not here tonight, but anyhow, that was sort of a semi-disaster, certainly bad for the people in Peterborough, and the government did react to that community. I guess that was two years ago, the May 24 weekend. There were other areas of the province that got flooded quite badly as well, but the government didn't react to those areas, just to the community of Peterborough.

Then there was the tornado in western Ontario, the Wellington county area. The government reacted to that. They did come up with a little bit of money for that. I

guess I would say the latest crisis or the latest disaster is what we're seeing happening in Caledonia.

When we went to committee, I was quite surprised at how many people were in opposition to the bill. There were a few minor amendments made, but I felt that going into committee—I know there were groups like the Ontario Medical Association. OPSEU had some comments. Virtually everyone who came in had a number of potential recommendations or amendments to the bill to make it better. The disappointment is that we have a government majority here; the government really didn't listen to the potential amendments, and the bill is virtually the same as when it was introduced.

Let me clarify that. There were some amendments made, but certainly not to the extent that the stakeholders, those who came to committee, would have liked to have seen.

I felt at first that if we supported the bill we'd be letting down the people who came forward with those amendments. But in the meantime, we have seen just recently, two weeks ago this weekend, people arrested for potential terrorist activities here in our country. Some of the people were doing training, actually as closely as Simcoe North, the riding that I represent. I can tell you that it's a wake-up call. You realize there is the potential out there for—whether it's a terrorist activity, whether it's an act of God or whatever it may be, a disaster is a disaster, an emergency is an emergency and we want to make sure that we have the proper legislation in place. With that, I felt that although our party doesn't really support the bill completely, there's enough there to go down the path of passing the bill and, whatever problems do arise, we can always make improvements to it down the road.

It's my understanding, talking to my caucus colleagues, that our party will be supporting the bill. I want to make it clear that we would like to have seen more amendments made to it, but we understand the reason it should be in place. That is, if there were a blackout tomorrow, or if there were a SARS outbreak or any kind of pandemic, we want to make sure that at least we're covered here. We don't want to be in a position where we're holding up the possibility of allowing the government the flexibility they need in case of an emergency, if something does occur.

While I have the floor tonight, I want to talk for a few moments about some other disasters we've had. I have to put this on the record tonight because I thought there were so many people who did such an outstanding job, both politically and at the administrative level: all of the good volunteers and employees, the stakeholders who worked to bring about a conclusion to what had occurred during a couple of major disasters we had.

One, of course, was the SARS outbreak in 2003. If you recall 2003, I think you'll remember that probably all of us in this room thought we'd be going to the polls in late May or June that year. Then I guess it was around the end of March that this word "SARS" came up. I didn't know an awful lot about it at the time, but I can tell you

that over the next two or three weeks we realized what a disaster we had on our hands and how hard it was for people to adjust to the kind of problem it was.

I go back to, in particular, our Minister of Health at the time, Tony Clement. I thought he did an outstanding job working with Dr. Jim Young and Dr. Colin D'Cunha, who was the medical officer of health for the province of Ontario.

During the SARS outbreak, if I'm not mistaken, Minister Clement and Dr. D'Cunha almost on a daily basis had a press conference and tried to keep the general public and the media up to date on exactly what was happening with that disaster. I can tell you, trying to convince the World Health Organization to lift some of the sanctions they had put against Ontario—I'll never forget the day, one of the days I was most proud to be an Ontarian and a parliamentarian, that Tony Clement walked into this House. He had been to visit the World Health Organization in Geneva, along with Dr. Colin D'Cunha, and came back and reported that day on their accomplishments. Tony and Dr. D'Cunha had been through a lot that spring. Yes, we had lost lives here in Ontario. Hopefully those lives that were lost will be a lesson for anything that ever happens in the future. That, of course, goes right back to what we're seeing here tonight in Bill 56 and basically the final passage of this bill.

I felt that with the leadership we saw that spring with Premier Eves and all of the doctors and nurses and all the health care professionals who worked in public health and in hospitals etc., particularly in Toronto and the GTA but even in some of the smaller hospitals outside of the GTA, they did a remarkable job in dealing with something we'd never seen before in this province. I hope it never happens again in the foreseeable future, or even in our lifetime, but hopefully, if it ever does happen again, the lessons learned from 2003 will help others in the future.

#### 1900

I have had a briefing from the Ministry of Health and Long-Term Care on a possible pandemic. They're preparing for that across the province with the public health units. The Ministry of Health is doing a lot of work behind the scenes. Hopefully, we will be prepared for anything that does happen in the future, not only here at Queen's Park but at the federal level as well.

I do want to say, though, that the actions of Premier Eves during the blackout and the SARS epidemic have led me to see a problem today, and that's what I would consider to be the lack of leadership from the current government. I was disappointed today in some of the answers that the Premier gave on the Caledonia situation, the crisis. This is turning out to be a much, much bigger issue than I would ever have thought. People are looking for leadership on this file right now. We have not seen the Premier or the Minister of Community Safety and Correctional Services present at Caledonia.

You can call it a disaster, you can call it a crisis, you can call it an emergency, but the reality is, this is something that's growing by the day, by the week. It's costing



this province a lot of money. It's costing a lot of our OPP officers. They're tired. They're weak from the amount of time they've had to put in down there. They've had to wear a lot of the burden of any negative side of the Caledonia crisis. I asked the Premier today if he would visit Caledonia, or the Minister of Community Safety and Correctional Services. Of course, they don't want to be there. But I don't think it has to be a finger-pointing trip if they go. In their leadership roles, as leaders in our province, they can go down and send a strong message that everybody cares and we want to find a peaceful resolution to this crisis as soon as at all possible.

Although this is not part of Bill 56, I do think we have a crisis on our hands. I don't think we're going to see an early conclusion to this at all now. We could be standing here at the end of the next session, in late December, and there may still be blockades on the streets around the community of Caledonia. Hopefully there won't be blockades in other communities because of a lack of action. I urge the Premier and the Minister of Community Safety and Correctional Services as well as the minister responsible for aboriginal affairs to at least try that.

I don't think that bringing David Peterson in as the mediator is working. We heard today that he has hardly been there at all. We haven't seen an awful lot of him. So in Caledonia right now it looks like the Ontario Provincial Police are the only people who are there trying to do anything. Someone's negotiating behind the scenes or whatever, but we're not seeing any conclusions. We've been there for over 100 days now, and I would say, if anything, this issue is escalating in Caledonia as opposed to being resolved by now. We're coming into a period of the year, the hot summer days, when tempers seem to flare even more. I think it's important that this issue gets resolved and gets resolved as quickly as possible.

I think that's why I was afraid, why I didn't want to see the Premier have a lot of additional powers under Bill 56, because my concern is, depending on who the Premier is, they may not be able to handle that type of pressure under a crisis. I think we're seeing this in Caledonia. That's one of the problems. Not only myself but a number of people who presented to the committee talked about the powers of the Premier and where we were going with that.

Take, for example, the Ontario Association of Fire Chiefs. I'll just read this on the record. I'm not going to take a lot more time on this, but I want to put a couple of these things on the record:

"The OAFC has concerns with the Premier taking direct control of a municipality's resources or requiring a municipality to provide its resources to another area without any consultation or input from the municipality. This is a real change from previous practice where the province provided support to the local emergency responders.

"First, the province is not a direct deliverer of front-line services; therefore, it does not have the expertise to effectively direct and control the local municipality's administration, facilities and equipment. The province's role should be as a support mechanism to those who do

deliver the services and have the expertise, i.e., the municipal governments."

It goes on and on with those kinds of comments. I just wanted to say that we heard that over and over again in the standing committee on justice policy. The powers of the Premier seemed to be an area where most of our respondents were disappointed and wanted amendments made.

That has not occurred. However, we know that this Premier may not be the Premier much longer, so we have an opportunity to put people in the position with maybe more courage than the current Premier has. Some of these issues may be able to be addressed easier by someone else.

I wanted to say to you, as I mentioned earlier, that we have a bill here that I think a lot of the people who attended our committee hearings would have liked to have seen amended in more ways than one, but the government chose not to make those amendments. They've chosen to go on the path they're going on. But that's not to say that another government a couple of years down the road couldn't make major amendments and make the bill a lot better than it even is today.

I do appreciate the fact that I've had this opportunity to make a few comments tonight. It's actually the leadoff speech. I'm not going to take the full hour tonight. I think I've made my point clear in the opening remarks in the one-hour leadoff on second reading debate. As I said earlier, our caucus is in support of seeing this bill passed. It has really brought our attention even more to some of these potential activities, and we certainly don't want to be in a position to hold back the government from making legal decisions in case an emergency happens. Hopefully, disasters and emergencies of the magnitude we're talking about will not happen and we'll be safe from that in the future, but that's not to say that they can't happen.

I appreciate this opportunity to say these comments tonight and look forward to further debate on this bill.

**The Acting Speaker:** Questions and comments?

**Mr. Gilles Bisson (Timmins-James Bay):** I listened intently to the comments made by my colleague from the Conservative caucus. There are a couple of questions I would have in regard to this particular bill and his analysis of it. I'm one who, unfortunately, has had far too many opportunities to deal with emergency measures legislation in regard to evacuation of various communities on the James Bay over the past number of years. The one that will always come to mind is Kashechewan, because everybody knows about that. But every other community, Attawapiskat, Fort Albany—and even Moose Factory at one point was almost evacuated. And we've had to deal with emergency measures.

As I read the bill, there are sections of this bill that give cabinet a heck of a lot of power. One of the things I don't like in the legislation—I'm going to have an opportunity to speak to it a little bit later—is that it gives cabinet the ability not only to decide when an emergency can be declared, but also very much more ability to play with what is being provided when people are evacuated.



For example, if there is a disaster in your community, currently there are standards that they have to provide when it comes to what you will get when you're evacuated to another community as far as shelter, food, allowances, all of those things. I wonder if there is a sense from the member that that may be somehow lessened with this particular legislation. I don't know if you've read it that way, but I would be interested in seeing what you have to say.

1910

The other thing is, just generally, the power we give to cabinet. We all understand that cabinet has to have the authority to deal with these things, and I'm not going to begrudge any government wanting to have that power, but as I read this legislation, it's fairly far-sweeping in the amount of power that we give cabinet when it comes to dealing with the Emergency Management Statute Law Amendment Act. I'm wondering if the member, in his reading of the law or this particular proposed law, feels that maybe we're giving up a bit too much, that we need to have some sort of mechanism to put checks and balances in place.

**Mrs. Christine Elliott (Whitby–Ajax):** I'm pleased to be able to participate in this debate on Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act and the Workplace Safety and Insurance Act. The purpose of course is to provide the Premier and the Lieutenant Governor in Council with powers to act in an emergency for the benefit of the health, safety and welfare of all Ontarians. The bill also amends the definition of "emergency" to include any dangers caused by disease or health risk and also amends the title of the act from the Emergency Management Act to the Emergency Management and Civil Protection Act.

Certainly the events of the last few years have demonstrated the need to have an emergency management statute of some type, from the epidemic of SARS in 2003, the blackout also of the same year and even up to the last few weeks when we've witnessed the arrest of 17 suspects for alleged terrorist activities. So there certainly is a need to have a coordinated response in the event of a disaster in Ontario and to be able to respond to it immediately and effectively.

The bill gives the Premier and the Lieutenant Government in Council virtually unlimited powers for a period of time in Ontario, depending on the nature of the emergency, and gives them the ability to act without the consent of the Legislature. There is also no need to consult with municipalities, which will be on the front line of actually implementing the emergency measures.

While we all agree that there is a need to have an emergency management statute, there are still several significant concerns the Progressive Conservative Party has with this legislation. Basically, the issue comes down to one of balance, and there are two significant areas where, in our view, the bill needs to be amended to provide that necessary balance, because as you give significantly enhanced powers to the Premier and the LG in Council, you also have civil liberties on the other side

that are being infringed. I'll speak about this later, if I have the opportunity.

**The Acting Speaker:** Further questions and comments? Seeing none, the member from Simcoe North.

**Mr. Dunlop:** I'd like to thank the member from Timmins–James Bay and my colleague Christine Elliott, from Whitby–Ajax, for their comments on the leadoff.

There's no question that the member from Timmins–James Bay has had a number of cases, and even in the last year two or three cases, where there have been evacuations of people in his riding. I think if there's anybody in this House you'd want to listen to on potential emergencies, it would be the member from Timmins–James Bay, because he's reported directly here on a number of occasions the concerns he has had with the process that was in place to evacuate people.

When we talk about evacuation, something that came up during the committee hearings—and I didn't get a chance to mention it in my speech—was the fact that there was strong concern from a number of people on the evacuation of animals. That goes right back to the pets that were left behind in Hurricane Katrina when it hit New Orleans. People would not leave their homes because there was no evacuation process to look after their pets as well. We've done a little bit with the OSPCA on that, but much more has to be done.

In the end, I think what's important is that in 2003 there were certain decisions made that the government didn't have the legal authority to make, because it didn't have the legislation. In the end, this legislation should improve upon that and hopefully we won't have disasters or emergencies to deal with, but we have to have a process in place.

**The Acting Speaker:** Further debate?

**Mr. Bisson:** I looked forward to participating in this debate for a couple of reasons: One, from a personal interest reason, is as someone who has had to deal with EMO over the years in regard to evacuations in my riding of Timmins–James Bay. It was mentioned earlier that unfortunately those communities along the James Bay lowlands in the springtime far too often flood, and we find ourselves in the position of having to evacuate people to other areas, other communities in Ontario, in order to make those people safe. I want to speak to the experiences I've had over the years in dealing with EMO and how I think some of the stuff in this legislation and some of the questions I had in committee weren't adequately addressed.

But I just want to say this up front. First of all, for the EMO staff, I have their phone number in my BlackBerry. I call them on a fairly regular basis, unfortunately, with Kashechewan now, still, evacuated for almost a couple of months, and it probably will remain evacuated until some time this July. We're hoping that in July people will be back in.

I want to say first of all, through this debate, that any time I have called EMO staff at the centre in Toronto, they have been very professional in providing support and responding to the requests I made to them. I always



remember one particular story where Attawapiskat was being flooded some years ago and Theresa Hall, who was the chief at the time, gave me a call. It was a bit of an odd story.

It was springtime. There was no indication that there was going to be flooding. I'd been talking to the community the day before about a community meeting we'd be holding on the following day, and people had said to me, "Oh no, it looks like the river is fine. Everything seems to be going quite well." So I got in my plane and flew up to Moosonee. The plan was that I would fly to Moosonee in mid-afternoon, I would have the meeting, and the following morning I'd fly into Attawapiskat to conduct the community meeting that we had scheduled.

At the time that I landed, there was a phone call on my BlackBerry and it was Chief Theresa Hall, saying that the community was being flooded. The issue there was trying to get aircraft into the community in enough time to start evacuating people. She had obviously already called emergency measures through the MNR, and MNR had acted quite quickly in order to get EMO involved and started doing the evacuation. But at one point, about 1 o'clock in the morning when we were on the phone, calling back and forth, the water started to rise quite quickly and it got a little bit scary for a lot of the residents there because it looked like the place where they were being held, which was on high ground, was about to be flooded. She called me up and said, "We need to get some more airplanes out here. They stopped flying because it's dark."

So I called EMO and got the officials on the phone. They were quite professional. They asked, "What do you think we should do?" I said, "Why don't we call DND and get a couple of Hercs up there?" I've got to say that EMO did it. They called the Department of National Defence. They managed to find some extra aircraft through DND. That was the problem: We were flying Otters from MNR and we had a couple of charter aircraft that we were flying to take people out, but it wasn't sufficient to get people out in time. My hat's off to the staff at EMO that responded to the request I made because, lo and behold, about 4 o'clock in the morning the Hercs started landing in Attawapiskat. So I have had some personal experiences with the staff at EMO and they've been quite helpful.

This brings me to my point, which is the staffing levels at EMO and other agencies that are responsible for, first of all, coordinating the evacuations on the spot, and then receiving people as they come out to other communities to be relocated. This is where we really fall down. We can try to devise whatever bill we want in the end, but if we don't have adequate staff on hand to deal with people when they come into the community, it's a problem. For example, we now have about 100-some-odd people who are lodged in various hotels and arrangements we have in the city of Timmins for people from Kashechewan. There's no money to assist the municipalities in order to coordinate the work that needs to be done in those host communities. It's left to the local municipi-

pality to basically bear the cost of trying to coordinate bringing 100 or 200 people into your community. For example, the community of Kapuskasing I believe has almost 300 Kashechewan residents in it. I believe that Hearst has over 100, Timmins has over 100, Sudbury has quite a few, as do Thunder Bay, Greenstone and others. And it's up to those communities, unfortunately, to bear a certain amount of the costs when it comes to the coordination of what needs to be done to make sure that the services people need once they're evacuated are put in place, which brings me to my next point.

#### 1920

Imagine that a small community somewhere in northern Ontario is host to evacuees. It's a tax on their police force, it's a tax on their emergency services as far as ambulances and firefighters, because a lot of those people end up having to deal with the residents as they are evacuated into the local community. Again, it's a real difficulty in some of the communities because many of the communities are without the resources, I would argue, in some cases to even properly and adequately provide the level of service that they want to their own citizens, let alone having an influx of 200 or 300 people coming into the community.

One of the things we've seen over the years in the city of Timmins is that they've been very good at opening their arms and welcoming people as they come in from the James Bay and providing fairly good service to the people as they come down. We see them as our neighbours or brothers and sisters, part of our extended family, but it's very taxing on the city. I know, talking to Chief Laperriere at the police station and talking to Mr. Pintar, who is the chief of the fire department, and talking to Joe Torlone at the city, who is the chief administrator, executive director, whatever his title is, it's taxing, because within their own budgets they're having to try to care for people as they come into the community—not pay for the hotel room, not pay for the food, but do all the work for the coordinating of what happens.

The other thing I find that is a bit of a shame—the first thing I would say on this legislation, just in passing on that point, is that the government just can't pass legislation; they need to provide the means for municipalities to be the host communities so they can adequately care for people as they come into the community. To do that, you've got to beef up some municipal services to be able to assist with the evacuees when they're in a community.

The other thing is the issue of coordination of the people who are in the community. One of the things that always struck me, and it happens every time—and I understand, to an extent, because you're flying people out in an emergency, but it's like, people show up at the runway to be boarded on an aircraft to be taken out and there are local coordinators who are brought in by EMO to try to coordinate people, but far too often I've been in positions where families get split up. In the previous evacuation of Kashechewan last fall, I had to arrange for a number of families to be brought back who had been split up. Mother, father, maybe five, six or seven kids, end



up somehow getting split between two different communities because all of a sudden they said, "Okay, you guys line up. You're getting into the first airplane." There are two airplanes on the tarmac, and all of a sudden they cut the line in the middle of the family and the father ends up with two kids in one community and the mother ends up with four kids in the other community. People say, "Why didn't they speak up?" Because they speak Cree.

We need to be sensitive to the issue that the first language of many of the people who live on the James Bay is Cree; in Howard Hampton's riding, both Cree and Ojibwa. Those are the languages spoken in those communities. Sometimes EMO staff—not because they're trying to be mean—don't pay too much attention to what some of the local people and the band council are trying to tell the EMO staff when it comes to making sure that they're heard when somebody says, "Hang on a second. This is a question where you're splitting up the families." It doesn't happen all the time, but I can tell you it's happened far too many times that I've seen evacuations. One of the things that I've asked EMO over the years—and I've got to say they've gotten better at it—is to try to listen more to the local people in the community when it comes to the issue of evacuating people to make sure that mom and dad end up in the same place along with the kids. The extended family—grandparents, aunts and uncles—is the other thing you've got to look at.

Again, I realize for the record that EMO staff work hard. Sometimes you don't have the time to do as good a job as you can, but we should, as much as humanly possible, try to do that, which brings me to my next point. And to be fair, we do it to an extent, but we have to, much more so, involve local community members in the planning of the evacuation. We need to listen far more to those people from the local band councils or communities that might have to be evacuated, because after all they know the players. And if there is an elderly person or a young person whose language skills are not sufficient to communicate in English and who only speaks Cree, at least you'd have somebody who is able to say, "Hold it. That's so-and-so's daughter. That's so-and-so's mother. Make sure they end up in the same place, because grandma is one of the primary caregivers for the family." So we need to take that into account.

The other thing is that we've really got to resource this thing properly. I know that my good friend and leader, Howard Hampton, will speak to this because he has also had the opportunity, unfortunately, to deal with evacuations. It's a whole issue of resourcing. You need to make sure that you properly resource the community that's being evacuated and the community that's receiving the evacuees. It has to happen on both sides. There's a huge cost to a community that's being evacuated. For example, in Kashechewan the whole community has been pulled out—there are about eight or 10 people who are left there for purposes of security—but they still have things they need to do. There are bills that need to be paid. People, when they're taken out still have their bills to pay back

home in their home community or whatever reserve they might be from. What happens at times—and it has happened far too often—is that all of a sudden the benefits stop flowing from various programs, income support programs, that people might be on. That might be, more times than not, ODSP or welfare itself. What ends up happening is that the person falls further and further behind. There needs to be some sort of mechanism to make sure that people, when they return home, don't find themselves in the position of having had to use the money they get from their welfare cheque to survive when they're in the evacuated community and having to incur the costs of that, and then going back after a month or two of evacuation, facing hydro bills, rent payments, whatever it might be, fuel charges, that are incurring on their home as they left it as they evacuated, because you've still got to leave the power on, you've still got to pay electricity to make sure the home is heated if it's in the spring or fall or, at the very least, making sure that the fridges and freezers work—making sure we don't put people behind.

That's one of the issues we have right now, that people at one point were having to use the money they normally get from their welfare cheque. You've got to recognize that there's 90% unemployment in those communities and many people survive on a welfare check. It's a damning indictment, I say, of the reserve system, but that's for a whole other debate. I'm a firm believer that the reserve system was set up to fail and is doing quite well with that expectation.

Part of the problem is that people end up in an evacuated community, let's say, like Hearst, and all of a sudden the per diem cheques that they're supposed to get on a daily basis from EMO to provide adequate food, clothes etc. for people when they're living in the evacuated community sometimes don't happen right away; sometimes it's a bit slow. Most—all the time, it's never enough.

For example, in one of the evacuations I dealt with—I forget which one it was; it was fairly early in the spring, so it was still quite cold—people were evacuated so quickly they literally left with the clothes on their backs. They ended up outside of the community for a period of about a week and a half without proper winter boots, without proper gloves, without proper coats. Kids, families were having to survive with only the clothes they came out with on their backs. You can't expect people to live in the same clothes for a week or two. People had to go out and buy a change of clothes. In some cases, they had to buy boots for the kids, boots for themselves, mitts, hats, those kinds of things. As it turned out, the weather had turned quite nasty. Luckily, in this case it was the town of Cochrane. Mayor Lawrence Martin, who is a former Mushkegowuk grand chief, understood what the issue was and, with his welfare department, came to the rescue. But EMO would not provide, at that time, the money needed for the evacuees to make sure that the children had proper boots, coats, mitts and all those things that they needed.



So we need to make sure that we properly resource the host communities and we properly resource the evacuated communities, so that people have an adequate amount of money when they're evacuated into a community to be able to survive. Nobody argues for a second that you give people \$1,000 a day. That's not what we're talking about here. We're saying we should look at rates in a realistic way and say what it costs for an individual to be out of a community on a per-day basis when it comes to food, when it comes to taking the bus to go from one end of town to the other—because people aren't going to sit in their hotel room all day; they'll maybe catch a movie or whatever it might be that you would normally be able to do—so that they don't use their welfare cheque to do that while they're in the evacuated community, only to come back to their home community behind the eight ball financially. That happens far too often when we evacuate people out of those communities.

I'm a little bit distressed at times at some of the comments that I'll hear from some of the people involved in the evacuation, saying, "Well, they just shouldn't have spent the money." I just say to any member of the Legislature here: Get evacuated, get put in a hotel room for two weeks, and tell me you're going to stay there and watch cable TV for two weeks with five kids in the room. You're going to want to take your kids out, go for a walk, maybe bring them to the pool if there's a pool in town. Maybe you want to bring them to a gym or take them to a show, or maybe bring them out to a restaurant or something, just to divert the attention of the children so that there is a semblance of normalcy for the evacuees. That costs money, and we need to reflect that inside our particular rates.

1930

The other thing I want to say has to do with the level of staffing in the EMO itself. We've really got to look at that, because that is a problem. I want to say up front that over the years there have been austerity measures, with the former government and this government to a certain extent, to try to run as lean and as mean as you can. One of the effects of that is that the very people we need working within the EMO to provide services to those who are being evacuated are not in the numbers that they need to be.

On top of that, if you take a look at our public health units—for example, we talk about what happened with the SARS outbreak we had a few years back. We don't have the adequate staffing within the public health units to respond to what would be another SARS-type outbreak if it was of a serious nature. In fact, the chief medical officer of health for the province of Ontario has said on a number of occasions, as I remember, that we need to make sure that the public health units are properly staffed and able to respond to an emergency when an emergency is declared, something that right now would be very difficult. I would argue that if you were to have a major pandemic break out in Ontario, our public health units and hospitals would have somewhat of a difficult

time responding to the emergency, based on current staffing levels

You can't look at emergency measures legislation without also recognizing that you've got to do something on the other side, which is the whole issue of making sure that we properly staff those agencies that are there to respond to the emergency: public health units, hospitals, community supports, police, fire—all of those people. We need to make sure that we properly staff them.

I've only got about three minutes left and I just want to end by saying that we've gone through a fairly difficult time in the community of Kashechewan over the last year. That community has been evacuated three times in about 12 or 13 months and kids have lost a school year as a result of that. Every time they're pulled out, it takes a while to reorganize the education opportunity for kids when they're evacuated to another community, so a number of kids are going to lose their school year this year, which is rather unfortunate. Families, obviously, have had their whole lives turned upside down a number of times as a result of the failure of the infrastructure in that particular community.

I've got to say, on behalf of Charlie Angus, my federal member, and myself, it has been very frustrating for us to finally get the federal and provincial governments to deal with the issue of doing the proper thing in Kashechewan. We've been saying for years that we're just spending good money after bad. Every time we have a flood, the community floods out and we spend \$10 million to \$20 million to fix the damage, depending on the severity, and then we wait for the next flood the following year. Recently we're spending almost like clockwork. The last evacuation, I believe, came in at over \$20 million in capital reconstruction that had to be done to the community. That was the evacuation from last spring. We spent some \$20 million only to redo it again this year.

We've been calling on the federal and provincial governments to move that community, as we did with the community of Weenusk when we moved them upriver to Peawanuck. I'm glad to see that Charlie and Leo Friday, the chief and his band council and myself were successful in getting the federal government to agree that that should happen last fall. We signed an agreement. Jim Prentice, the Minister of Indian and Northern Affairs—as a result of a lot of pressure put on by Charlie, myself, Leo, his band council, Stan Loutitt, Stan Beardy and others—and the government finally recognized that they have a moral obligation and a fiduciary responsibility to make sure that that community is moved, and moved as quickly as possible, and that we bring them to higher ground before we end up in a situation like Weenusk some years ago, where it took the death of two people for the government to finally move that community.

It's going to be a trying time for the community, to say the least. You're uprooting an entire community and moving them to another location somewhere on higher land. Obviously, there are going to be some trying times for them, because they're still going to have to remain in a community that's at risk in the time that we are con-



structing the new community. That is very hard for many of them to take, because there are a lot of emotions that run deep. We've lost four or five people in that community over the last year because of failed infrastructure. We had two people die in a jail fire. We had a little girl die in a fire as a result of no fire protection. We had a guy die in the back of a pickup because he had a heart attack and there was no ambulance to bring him into the nursing station. He died in the back of a pickup truck in the middle of December or January. We had a young girl die in Fort Albany as a result of not having emergency means to extricate her out of a situation she was in when she got lost out on the bay. It has been a tough time, and I ask people to have patience and to think about this community and the hardship they've gone through.

**The Acting Speaker:** Questions and comments?

**Mr. Dunlop:** I just want to thank the member from Timmins-James Bay for his comments. As I mentioned a little bit earlier in the evening, he has a riding which I believe is as big as France. It's as big as countries in Europe, but of course it hasn't got nearly the population. When they have an emergency, they have a true emergency, whether it's a fire or, as in the case of Kashechewan, where they had to have people evacuated a couple of times. I hope that when the comments of the member from Timmins-James Bay are put on the record, people in the Ministry of Community Safety and Correctional Services are indeed listening, because it's a completely different type of emergency than what we'd see in a Peterborough flood, a tornado in Wellington or SARS or even a blackout, when you have this huge geography that you're trying to cover with very, very few people and very, very few resources. His comments certainly brought to me, anyhow, an understanding of the vastness of the province of Ontario and how, when we do pass legislation like Bill 56, there has to be the thought behind the legislation that the government has to be able to react to the situations that might come up, no matter where they are in the province, be it a flood or whatever.

I do appreciate his comments. I hope the ministry listens carefully to not only comments that he would make on an evening like tonight but even in times like question period, when sometimes you think a question is just for political purposes. The reality is, in most cases, with the vastness of the geography that we have in Timmins-James Bay, there are some serious repercussions to it.

**Mr. Howard Hampton (Kenora-Rainy River):** I'd like to take a few moments to comment on my colleague's discourse on where emergency measures and emergency preparedness really matter. The government has, with great fanfare, announced this bill. I know it's the experience of the member for Timmins-James Bay, and it's my experience as well, that when you talk to the front-line people out there who have to respond to emergencies, whether they be people fighting a forest fire or folks evacuating someone from a community because of the threat of flood or threat of forest fire, the resources are very meagre and, in many cases, the people on the

ground are flying solo. In other words, they have to make the decisions despite the fact that they might under-resourced and despite the fact that none of the higher-ups appreciate exactly what the situation is on the ground. I don't see anything in this bill which is going to change that.

I don't see anything in this bill which is going to ensure, for example, that our paramedics are better resourced. I don't see anything in this bill which is going to ensure that fire services across the province are going to be better resourced, that police are going to be better resourced or that the Ministry of Natural Resources, which has to respond to many of the emergency situations once you get outside of organized municipalities, is going to be better resourced. In fact, today many of them are resourced worse than they were a year ago. Take, for example, the Ministry of Natural Resources, which at the district level has had its budget cut by 10% now. Conservation officers don't even have enough money to put gas in the half-ton to go out and enforce conservation laws. I think that's worth noting: a lot of fanfare here, but not much on the ground.

**1940**

**Mr. Bas Balkissoon (Scarborough-Rouge River):** I just want to thank the member from Simcoe North, the member from Timmins-James Bay and the member from Kenora-Rainy River for their comments on the bill. Let me just say that I appreciate the comments. Planning for the next emergency is a real challenge because you really cannot quantify the magnitude of the next emergency.

What this bill really does for us as the government is provide all the tools and the flexibility so that cabinet and the Lieutenant Governor in Council can make decisions without worrying that they're making those decisions without the power to do so. In fact, the bill is very clear that it provides the opportunity for the government to pursue making orders in 14 different areas. Hopefully that will help us to deal with the next emergency better than we have dealt with previous ones. As the member from Simcoe North clearly stated, the previous government had difficulty with SARS. They had difficulty with the blackout. His leader at the time struggled as to taking decisions without knowing that he had the power to do so.

This particular bill has provided the government with that flexibility. In fact, this bill brings Ontario to par with other provinces and the government of Canada in giving the government the power to act when we have an emergency, giving the government the tools it needs to protect public safety.

I hear the members from the north that it is a challenge to deal with emergencies up there, and we recognize that. That's where the emergency management offices, working with the people and the regions in that area, will improve their emergency plans, and hopefully the next emergency will be better than the last one. We're hoping that, as we move along, we'll amend the legislation and make it better. This is an amendment to the Emergency Management Act that hopefully makes it better.



**The Acting Speaker:** Further questions and comments? Seeing none, the member from Timmins–James Bay.

**Mr. Bisson:** I want to thank the members for having responded to what I had to say. I'm just going to leave it on this point because Mr. Hampton, my leader, sees it the way I do: as the ones who are dealing with the actual evacuees in the emergencies that are managed under this act. You've got to resource what's on the ground. If you don't resource it, it ain't going to happen. That means, provide the funding and the staffing levels needed in order to provide services.

I ended my presentation earlier with talking a little bit about what had happened in Kashechewan in regard to one individual who died in the back of a pickup truck with a heart attack because there was no ambulance to transport the fellow from his home to the nursing station. That shouldn't happen anywhere in Canada, yet we allow that to happen in our First Nations. I just find it utterly unacceptable that we are in a country that allows that to happen. Why should a First Nations person be treated any differently than anybody else? Yes, the government says, "We're trying to do the best that we can. We don't have the amount of money. We'd like to respond." But these issues have been around for a long time.

Again, in Kashechewan—I hate to bring up Kash all the time—no fire department. We lost three people in fires in the last three or four months. Those are the types of resources you've got to put on the ground in order to properly deal with emergencies when they happen, either a local emergency or an emergency that you need to evacuate people.

I was at the funeral of—we called her Trees—a little girl who was about six years old who died in a house fire. There was nothing that could be done because there was no fire department, no ability to combat the fire. We don't even have the means to enforce having smoke detectors in the house. You're at a funeral of a little girl like that—I'll tell you, it brings it home pretty quick. It makes you remember that we all have a responsibility, and the quicker we take it, the better off people will be, and hopefully we don't have to go to more funerals.

**The Acting Speaker:** Further debate?

**Mrs. Liz Sandals (Guelph–Wellington):** I'm very pleased to take part in the debate on Bill 56, An Act to amend the Emergency Management Act. I think maybe it's important for us to start out by defining what it is that this act is really about, because it's very specifically about how we manage emergencies and it's about how we manage a specific kind of emergency, those very, very significant emergencies that reach the status of a provincial emergency. So it's not about routine firefighting; it's not about your local fire department's funding; it's not about how much the conservation authority pays for gasoline; it's not about those routine things which, quite frankly, are taken care of in other budgets in other acts quite adequately. It's about those very extraordinary circumstances where, in the words of the act, we have a

danger of major proportions which may impose serious harms on persons or substantial damage on property.

I think it's worthwhile to talk about those things that have been recognized as provincial emergencies in the past because we actually have had two provincial emergencies in the recent past. The hydro blackout, the electricity blackout, of a few years ago was declared a provincial emergency, as was the SARS outbreak. That began to get us thinking about what a provincial emergency might be. It could be the failure of man-made infrastructure, which was the case in the electricity blackout; it could be a health emergency, a pandemic. You could argue that the ice storm in eastern Ontario a few years back, had this legislation been in place, might have qualified as a provincial emergency. So there we see a weather-related event of extraordinary proportions, which, in turn, led to a major blackout in eastern Ontario.

When I've spoken about this bill before, I have been reluctant to bring it up because I don't believe in a school of politics that feeds on fearmongering, but one of the things that our experts warned us about is that we in Canada, in Ontario, can also be vulnerable to terrorism. We thankfully, we are told, had avoided that sort of thing here. Clearly, the courts will have to sort that out. But nevertheless it can serve as a warning that, again, an act of terrorism could possibly lead to implementation of this act, an act that has to do with emergency management in the context of a significant impact within the province.

The member for Simcoe North talked about those two previous provincial emergencies his government had to manage and, in fairness to his government, managed in quite a credible way. But the Commissioner of Emergency Management of the day, Dr. James Young, before he went on to become the federal emergency management commissioner, talked to our government when we first came in and, having come from that recent experience of having to manage two provincial emergencies which were quite different in nature—one was SARS; one was a major blackout—said, "While we have the ability to declare a provincial emergency in legislation, there is actually no power, no framework, laid out in legislation about how that provincial emergency is to be managed. So we get this first step down the way of having the power to declare an emergency but then no legislative framework that describes how we can manage it, what are the proper powers, what's the limit of the powers, what's the extent of the powers."

That is what this bill does. Every other province in Canada has legislation already, and has had for a number of years, which defines the powers of the provincial government in the case of a provincial emergency. Ontario, the biggest province, for some reason is lacking this legislation, and that is the hole that we are filling in this case.

As I say, on Dr. Young's advice, having dealt with these two previous emergencies—because folks will recall that during the time of SARS, during the time of the blackout, the Premier of the day and Dr. Young, as Commissioner of Emergency Management, did in fact issue a



number of orders provincially telling people what to do. It's actually questionable whether that authority existed, so that's what we're fixing.

**1950**

What are some of the emergencies that are laid out? The Premier, the cabinet and the Commissioner of Emergency Management, as the case may be, will have the power to restrict travel or order evacuation. For example, if you think back to SARS, it became an issue of who could travel where, because you don't want the disease to spread and hence you have the potential need to restrict travel. We are also establishing the ability, as part of those emergency orders, to establish facilities for the care, welfare, safety and shelter of individuals, including emergency shelters and hospitals, because you can imagine that in some circumstances where there has been a disaster which has an impact on physical property or where we need an evacuation, you need that emergency facility set up.

Fixing prices for necessary goods, services and resources and prohibiting price gouging and, quite frankly, managing the distribution of those—again, if we think back to SARS, we had the issue around hospital workers and other emergency workers needing first dibs on the supply of masks, because you run the possibility that you might have general panic and have people hoarding medical supplies. It's important that we be able to manage that and make sure that the people who are actually the emergency workers have first dibs on the available supplies during the management of an emergency.

We're also widening job protection for people who are unable to work because of declared emergencies. It's quite possible that when there is an emergency, people may not be able to get to work. The transportation system may be shut down, perhaps they're under quarantine, any number of reasons. We did see some evidence during SARS of people not wanting to stay under quarantine because they were afraid they would lose their job. We're putting in place the legislation that will protect people who obey those orders.

Another thing that has come up—and this has become an interesting clause—is the possibility of authorizing people to render the service which they are reasonably qualified to perform. Some people have tried to warp that into a requirement for conscription, and that's just not true. In fact, the committee that originally looked at the framework for this legislation had quite a debate around whether or not conscription was appropriate in Ontario, and in fact said no, it isn't. So this is definitely not a conscription clause, but what it does is make sure people who have a skill to offer are allowed to do it.

For example, if you had somebody who is trained as a paramedic in Quebec and you have an emergency in eastern Ontario, they would not normally be recognized as paramedics in Ontario. What this does is say, "Look, you're trained to be a paramedic in Quebec, New York state, Minnesota or Manitoba, as the case may be. If you wish to come and help us during this emergency, we're going to authorize you to do that work and help us out."

Currently, as everybody knows, we have some reasonably restrictive language around who can perform professional services, and we want to make sure that that doesn't get in the way of people who genuinely want to help during an emergency. So this is not conscription language, as some critics have tried to characterize it; in fact, it is legislation which welcomes people who are qualified and want to help us out.

We've amended the bill during clause-by-clause and committee hearings to include animals in the evacuation power. Actually I think the member for Simcoe North explained that. We have amended the bill to allow for the transport of livestock in an animal health or health emergency. As we look at the whole issue around pandemics which jump from animal populations to human populations, the whole interplay between the treatment of animals and the treatment of humans is becoming much more important.

We've also made a number of other amendments to the bill, but in closing, what I want to emphasize is that what we are doing here is laying out a legislative framework to ensure that in the event of another provincial emergency—and sooner or later, no matter what government is in power, there will be another provincial emergency. That's unfortunate, but it's true. We want to make sure that when that happens, and it will, we have in place a proper framework to manage that emergency. So I certainly hope that all my colleagues in the House will be supporting this legislation.

**The Acting Speaker:** Questions and comments?

**Mr. Hampton:** As I listened to some of the government members speak about this bill, one would almost think that it is a brand new Emergency Management Act and that Ontario has never had an Emergency Management Act before. I think it would be a mistake to leave that impression. In fact, Ontario has dealt with several emergencies in the past. I think of the Mississauga train disaster; I think of blackouts that happened in this province in the late 1960s, early 1970s; I think of the ice storm; I think of the loss of electricity, at least in southern Ontario, in the summer of 2003. In fact, Ontario has several pieces of legislation that deal with emergency measures. For example, the chief medical officer of health for Ontario has emergency powers, chiefs of police have emergency powers and chiefs of fire services have emergency powers. So I think the government here is engaging in some scare tactics when they almost want to portray it as if there are no emergency measures out there. Ontario has a long history of dealing with emergencies, a great deal of experience, and a number of officials and authorities that have emergency powers.

What we're really dealing with here are some amendments to emergency management, emergency measures legislation. I think what we ought to be doing is actually debating these amendments. I can tell people watching at home that New Democrats think that some of the measures that are included here are pretty draconian. I would refer folks to think about the War Measures Act and some of the things that happened under the War Meas-



ures Act. But I think we should keep the debate to the amendments here, and not try to pretend that somehow there's no emergency measures capacity in Ontario. There is and has been.

**Mr. Bisson:** I just want to respond quickly to one particular point the member made, and that is, "Let's not get things confused." I think what she is saying is that there are emergency measures that deal with the emergency and then there are things that happen in local communities, and somehow the two of them aren't related.

I just want to remind people that, far from that being the case, you have to have in local communities proper emergency services to be able to respond to issues in the community, be it a house fire, be it an emergency where somebody is in danger of drowning or whatever it might be. You have to have the facilities, you have to have the infrastructure and you have to have the manpower to be able to respond. If you don't, what could be a small emergency could end up becoming a pretty large disaster. For example, if you don't have the ability to combat a local brush fire, as is the case in many communities that I represent because they have no fire department, that brush fire or that house fire could end up becoming, under the proper circumstances, quite a large disaster.

So for the member to say that somehow or other we shouldn't mix apples and oranges and come into the Legislature to speak about core emergency services within a community, getting it mixed up with the Emergency Measures Act, I strongly disagree. Quite frankly, I believe the two are connected. Far too often, the emergency measures people rely on our emergency staff in our communities to be able to conduct the evacuation or whatever activity they need to do. They rely on fire services; they rely on firefighters; they rely on the police services; they rely on paramedics; they rely on hospitals. They rely on many of the services we have in our local community. My point was that if you don't staff those adequately, then I don't care what you've got for legislation; it's not going to mean a heck of a lot if you don't have the people on the ground.

2000

**The Acting Speaker:** Further comment?

**Mr. Dave Levac (Brant):** You didn't think I was going to turn that down any more after what was happening.

It's unfortunate that the member from Kenora-Rainy River is trying to portray this as other than an amendment to a bill that's already in existence. I mean, to try to portray it as something that the government side is saying is a brand new piece of legislation is incorrect, flat out incorrect. But what's unfortunate about the problem he is trying to create is that there is an evolution and a revolution that's taking place on a regular basis on emergency measures, the things we learn from around the world on how to respond.

One of the things I proposed even when I was in opposition, and was sometimes scoffed at, is trying to get in front of those situations by planning in front of those types of disasters. One of the challenges I left with the previous government—and I would challenge our own

government to take a look at it too—was to start engaging in conversations with architects, start engaging in conversations with the Japanese, who know how to deal with certain circumstances that create those problems. The second thing is, why shouldn't we be looking at it? The member from Timmins-James Bay and I talked about this before; that is, how do we take a look at various ways that we house our First Nations people and those who can't afford it along rivers and lakes and along the shorelines? Are the types of things we are doing progressive to the point where we need to start trying to get in front of those types of emergencies that are taking place?

The other piece of this puzzle is to try to make sure that we coordinate all of the things the member from Kenora-Rainy River was talking about. It's not as if they don't have those; we know that they exist. It's the coordination of that and being able to have a government that's in front of that as well. That's what this piece of legislation is trying to do. Maybe it needs some amending and maybe we need to take it to committee and have discussions about that, but the intent of this is to try to put those pieces of the puzzle together so that when we do have these emergencies, we are responding in the best possible way that we can and the most progressive way that we can do that. We can't do that if we are fragmented to the point where we don't know what one group is doing beside the other. I think there is a better way to do it. It's an evolution, not a first time.

**Mr. Cameron Jackson (Burlington):** I want to commend the member from Guelph for her comments, and I certainly support and endorse them in terms of the fact that we really do need to contemporize this province's ability to manage through any kind of emergency, disaster or unforeseen global incident that puts lives and services at risk in our province.

I was in cabinet when we had the ice storm. I marvelled at two things: just how resourceful people were in terms of how quickly they were able to respond, but then I was also amazed at that time at how the province of Quebec was able to take advantage of certain factors that occurred, that we as a government really didn't have the instruments. We still proceeded, but we lacked the instruments in order to do that. I never quite forgot that, that we should be looking at this legislation, which isn't new. Maybe the minister got a little excited and enthusiastic about his legislation and referred to it as all new, but that's not the issue. The issue is that these are amendments on which we have been given good legal counsel with respect to what their intent can be.

Obviously, when you give governments that amount of authority there are civil libertarians and others who will express concern about that. But for those of us who have dealt with some of the uniquely challenging circumstances when these emergencies occur, I can tell you from my perspective it has always been a great concern for me how to evacuate individuals who are not ambulatory. Hospitals have always had a preparedness plan, but on a very large scale there are large numbers of disabled



in the community we don't have plans in place for, and we're going to need to deal with that. So I will be supporting the legislation.

**The Acting Speaker:** The member from Guelph-Wellington.

**Mrs. Sandals:** I'd like to thank the members for Kenora-Rainy River, Timmins-James Bay, Brant and Burlington all for their comments. I want to echo what my colleague from Brant said: Clearly, there has been an Emergency Management Act in Ontario, and it addresses a lot of things. It addresses both management and preparedness at the local level. What it does not currently address is powers in a provincial emergency, and that's what we're filling in.

Obviously, there are local fire services, local police and local ambulance services that do an amazing job every single day of the week in reacting to local emergencies. In fact, when we were doing public hearings at the justice committee in the original committee version of the bill, one of the things which absolutely—not amazed me, perhaps, but which very much heartened me and led to my respect for the emergency services in our province is that not one of the presenters from the emergency services questioned that when there was an emergency they would be there, they would be looking for the way they could help the public and make the public safe. They were simply looking for our support in making sure that they had the legislative support to manage in the most extreme cases. Clearly, the local firefighters already have the legislative authority to go and fight a house fire. Clearly, paramedics have the authority to go and do routine accident intervention and pick up patients and all those sorts of things. That's not what we're concerned about here. We're concerned about those sorts of extraordinary things that a province might have to do in terms of managing the resources of the province to make sure that we can deal with a big, province-wide-scale, major-impact emergency. That's what this legislation does.

**The Acting Speaker:** Further debate?

**Mrs. Elliott:** As my colleagues the members from Simcoe North and Burlington have indicated, the Progressive Conservative Party will be supporting this bill, because we also believe that it is necessary to update the Emergency Management Act in order to be able to be proactive and to be able to deal effectively and quickly with any emergency, should it arise. Certainly, the events of the last few weeks have indicated to us that there is a threat, potentially, to Ontarians and Canadians with the arrest of a number of suspects on the basis of alleged terrorist activities. While, thankfully, that was stopped before anything happened, I think it has heightened the awareness of all Ontarians and all Canadians that we're not immune to threats and we need to prepare for them proactively.

Having said all of that, we do have some significant concerns still with the legislation. Broadly termed, we can put them into the issue of balance, the need to

maintain a balance between two competing forces. I'd like to address two of those issues, if I might.

The first issue is this question of civil liberties. There's no question that, with the enhanced powers that are given to the Premier and to the cabinet, they have virtually unlimited power for a certain period of time in the province of Ontario to do whatever they deem is necessary in order to protect the health and welfare of all Ontarians. When you have enhanced powers, on the one hand, I believe we also have to recognize that there's going to be a diminishing of civil liberties on the other hand. I think that's something that we all need to recognize and come to terms with, and we need to make sure that any diminishing of civil liberties during any period of emergency is kept to a minimum, so that it's only done where it's absolutely necessary in order to protect the health and welfare of Ontarians.

If I may paraphrase from the submissions that were made to the justice policy committee by Mr. Alan Borovoy, who's with the Canadian Civil Liberties Association, he indicated that he asked for amendments to the powers being considered by the committee to say that where there is a declaration of emergency by the executive there must be (1) prompt ratification by the Legislature, which may revoke the declarations and any measures adopted under it, and (2), an immediate reference to a court of superior jurisdiction to determine the declaration's validity, even where the emergency is terminated before the hearing begins. This would help subsequent governments get a better feel for the correct interpretation of the statutory language and would fuel useful political debate about the handling of the emergency.

#### 2010

Secondly, he indicated that measures adopted pursuant to a declaration must be (1) no more intrusive and no more geographically extensive than is reasonably needed, and (2) must be explicitly subject to a judicial power to revoke or reduce the measure if successfully challenged in court.

The question of civil liberties is of course an important one and we would urge the minister to take that into consideration prior to passage of this legislation.

There's also a need to balance the issue between responsibility and authority, as well as between provincial authority and municipal authority. It has been submitted that while the new legislation does give the Premier and cabinet the ability to enact very broad-reaching extensive measures in order to protect the public interest, the actual need to enforce those powers or declarations rests with the municipality. That's something that again I would urge the minister to take into consideration prior to passage of the bill, because concern has been expressed by a number of municipalities and also by the Ontario Association of Emergency Managers.

Again, if I might quote from a declaration in a statement that was made on behalf of the organization of the Ontario Association of Emergency Managers and by Mr. Alain Normand, who's the president of the association, his concern was as follows:



"We understand that in some instances decisions must be made quickly. However, in Ontario, every municipality is now mandated to have an emergency plan, to designate a community emergency management coordinator and to have the appropriate tools, training and exercises to respond to emergencies. I'm very glad to report to this committee that all municipalities in Ontario have ... complied with this legislation. This implies that there is already a force of professionals ready to coordinate appropriate measures in every municipality. These professionals now run the risk of having the Premier come into their municipality to ... take over the emergency response, regardless of existing provisions and extenuating circumstances.

"We contend that the people who understand the circumstances the best are those at the local level, not the Premier. These people now run the risk of seeing the province force them to take actions that are contrary to their best judgment, and of being fined or jailed if they refuse to comply. Emergency management in Thunder Bay or Moosonee is different from emergency management in Toronto or Ottawa. The people who understand this most are the people on the front line, not the provincial government."

Again, I would urge the minister to take into consideration the need to consult with the municipalities that are going to be affected by any declaration, to make sure they are able to respond to it and that that particular declaration is going to be appropriate for their municipality. As Mr. Normand has indicated, the needs of Toronto are very different from those of Thunder Bay or Moosonee.

Again, I would urge the question of balance on these several issues to be taken into consideration by the minister prior to the passage of the bill.

**The Acting Speaker:** Questions and comments? Further debate?

**Mr. Hampton:** I am pleased to have the opportunity to take part in this debate because this bill has, shall we say, an interesting trajectory in terms of coming before the Legislature. This is Bill 56. When it made its first appearance, it was Bill 138, but many of the measures that were in Bill 138 are in this bill. When I say we should look at the trajectory of Bill 56 and how it got here, we have the benefit of some comments of one of the most learned legal experts in the province, a former Deputy Attorney General and now a justice in our courts, and I'm speaking of Mr. Justice Archie Campbell.

After the McGuinty government produced Bill 138—and make no mistake, Bill 138 had some very draconian powers in it—Mr. Justice Campbell had an opportunity to look at Bill 138. I think it's important for the people of Ontario to know what he had to say about the Bill 138 legislation, because the government was saying that Bill 138 was going to be the be-all and the end-all. It was going to be, shall we say, almost a transcending piece of legislation in terms of emergency preparedness and emergency response. That was until Mr. Justice Campbell had a chance to look at it. This is what he had to say.

He looked at Bill 138; in fact, he looked at some of the specific sections of Bill 138. By the way, those same sections that were in Bill 138 are now in Bill 56. That's why I think Mr. Justice Campbell's remarks are so important. He looked at these sections that were originally in Bill 138 and are now in Bill 56, and he said, "This power is awesome." Someone else said that the power the government wants to give itself here could be described as "grandiose." An emergency order could override any law that promotes the public good or protects individual rights.

Mr. Justice Campbell said that in particular the override power—that was part of Bill 138 and is now part of this Bill 56—is "deficient and dangerous." He said it's not reasonable to override "the foundational laws that underpin Ontario's democratic legal system including"—and I can read off some of the statutes—"the Habeas Corpus Act, the Legislative Assembly Act, the Human Rights Code, the Elections Act, and the Courts of Justice Act." The government would give itself the power in one section of Bill 138, now Bill 56, to override all of those protections of individual rights and all of those protections of democratic rights. The government would give itself the capacity to override those.

One of the things that Mr. Justice Campbell concluded in his critique of the bill—I repeat, the sections that he was very critical of have found their way into this bill. One of the things he said is that the government should take a sober second thought. The government should look at this very, very carefully. The government should think twice and this Legislature should think twice about giving any one person or group of people that kind of power. I think it would be wise for people across Ontario to actually look at Mr. Justice Campbell's comments, because I think they remain germane and relevant to the discussion we're having here tonight.

One of the other things that has bothered me a bit about this legislation is when the minister introduced it and when the minister's legislative parliamentary secretary spoke to it. They both wanted to pretend or used language which would suggest that without this bill Ontario has no emergency preparedness or no emergency powers or no emergency authority. Talk about a case of oversell; that was it. I think people need to recognize that we've had emergencies in this province before. We've had hurricanes. I think it was Hurricane Hazel in the 1950s, where large sections of southern Ontario were flooded and, yes, some people lost their lives. Police, fire services, ambulances services and the province as a whole had emergency powers that they were able to use. I think of some of the electricity blackouts that happened going back to the late 1960s and early 1970s. Once again, the province had emergency powers and different officials in the province had emergency powers. I think of the ice storm, and I think of the Mississauga train derailment, where a number of toxic chemicals were involved in that. I think we all recognize that officials and authorities in the province had emergency powers. So while the minister tries to pretend that without this bill



there would be no emergency power, I think what we need to recognize is that there are really three elements to emergency authority in the province.

2020

One is the specific statutory powers to deal with specific emergencies, which already exist. For example, there is emergency power to deal with forest fires. The chief medical officer of health has legislation which gives him or her the authority to deal with certain public health and other emergencies. Similarly, chiefs of police and fire chiefs all have emergency powers. Some of them are written down in legislation, some are common law.

Then there is the broad common law, the broad inherent powers not set out in legislation, such as the power used to evacuate 218,000 Mississauga residents after the 1979 Mississauga train derailment. The government wants to say in this presentation of the bill that you don't have the authority to evacuate. I think anyone who was there for the Mississauga train derailment would be scratching their head and saying, "What do you mean you don't have the authority to evacuate? We evacuated 218,000 people, and did it in very short order." The common law provides public authorities and officials with that kind of authority.

Finally, in this province we have the Emergency Management Act—there actually is an act called the Emergency Management Act—which provides no additional emergency powers but concentrates existing powers for effective emergency deployment and provides for emergency plans. I think it's important to keep that in mind. We actually have an infrastructure, a legislative and common law legal jurisprudence that sets out emergency powers and when and how those powers can be used. In fact, those powers have been used repeatedly, either at a local level, at a regional level, or in some cases on an almost province-wide level, and they've been used fairly frequently in this province.

What this debate ought to be about is the specific amendments that are included in this Bill 56 and whether and to what extent those amendments are necessary and whether and to what extent those amendments are advisable. That's where the comments of Mr. Justice Campbell are particularly relevant and germane. In fact, I actually think we should be looking in detail, when we debate this legislation, at the analysis of Mr. Justice Campbell, because Mr. Justice Campbell was dealing with one of the most recent and most serious emergencies. He was looking at how this province responded to SARS and what needed to be done to better respond to that kind of emergency, which was not just a health emergency. Let's face it, that emergency, at its height, bordered in some places on public panic. I remember getting on an airplane and seeing about half the people on the airplane with medical surgical masks, and I thought to myself, "Boy, we're not far short here of people starting to lose control, of people going way over the top."

In looking at this legislation, I think perhaps the most relevant thing we could do, the most important thing we

could do, is actually look at what Mr. Justice Campbell said when he did his review of the SARS crisis and how the province did or did not respond to the SARS crisis. That's why I think Mr. Justice Campbell's comments about the sections that were originally in Bill 138 and are now in Bill 56 are so important, because Mr. Justice Campbell openly and very directly questions whether we should be giving a government—any government—the kind of power that the McGuinty government now wants to have to step all over individual rights, to step over the rights of the Legislature, to step over the rights of the courts, to step over common law rights, to step over the Elections Act. I think we would be wise to listen to Mr. Justice Campbell.

I want to repeat again. He says, "The power that the government seeks to give itself is awesome." He has never in his experience—and I repeat, he is someone who has had great legal experience in this province, who, in fact, as Deputy Attorney General, had to deal with some emergencies in the past. His attitude toward this legislation and this bill is to question it and to question the need for it.

The other thing that I think is quite relevant about Mr. Justice Campbell's comments is that when he looked at SARS he made some recommendations of things that needed to be put in place in order to have good emergency preparedness. I looked for this in the bill, because I would hope that the government would put in place some of the things that Mr. Justice Campbell actually recommended. One of the things that he very specifically recommended as a fundamental inclusion is a section in the bill which would indicate, in his words, that "All health care workers should have whistle-blower protection to report any public health hazards to medical officers of health."

I admit here he's dealing with public health issues, but he's saying specifically what you want to include in emergency measures legislation or emergency management legislation is that health care workers need to have whistle-blower protection. Why did he put that in? Here's the interesting history. During the SARS crisis, when literally dozens of people were coming down with this very serious illness and we were actually seeing this illness jump from hospital to hospital, hospitals in one region to a hospital in another region, it turns out that nurses, front-line health care workers, were actually sounding the alarm bells within hospitals and within the health care system, saying, "Part of the problem here may be that we've got nurses working in this hospital and then they go work in another hospital and then they go work in another hospital, and it may be that those very nurses are actually carrying this virus from one location to another." Nurses were actually ringing the alarm bells within the health care system, saying, "Something is wrong, and this is what we think is wrong," and, in fact, they were told to keep quiet. They were told to keep quiet or risk being fired, risk being disciplined.

I wonder how many lives could have been saved, and how much public stress and worry could have been



saved, if that kind of legislation had been in emergency measures or emergency management legislation, giving front-line health care workers the capacity to blow the whistle and go directly to the chief medical officer of health and say, "This is what we think has gone wrong," or, "This is what we see on the front lines."

Mr. Justice Campbell recommended that this be put in any sort of future emergency management, emergency preparedness legislation. But you know what? It's not in this bill. A very specific example that came out of the most recent crisis the province has had to suffer through, a very specific recommendation of Mr. Justice Campbell, and do we find it in this bill? No, we don't. It's not there.

Again, I go back to the beginning. The government wants us to believe that this is going to be the be-all and the end-all of emergency preparedness in this province. I think Mr. Justice Campbell would look at it and say, "Boy, there's a glaring problem here if you don't give front-line health care workers the legal capacity, the legal protection to go to the chief medical officer of health and say, 'Look, we're on the front line, and we think this is the problem, and we think this is where resources ought to be directed.'" There's a glaring problem here.

2030

Equally, as Mr. Justice Campbell has pointed out, there's a glaring problem in the powers that the government does seek to give itself, which Mr. Campbell is very wary of. In fact, with respect to Bill 138, he recommended that the Ministry of the Attorney General take a look at the measures that were in Bill 138, which find themselves here again in Bill 56, to look seriously at the constitutionality of them and also to frankly look at to what degree they undercut some of the fundamental underpinnings of our democracy. I think what Mr. Justice Campbell is saying is that the government is going too far, that the government doesn't need this kind of authority; or where the government would seek to have this kind of authority, they need to put better checks and balances in place to ensure that it is not used inappropriately.

A while ago—and I saw some government members rise to the bait when I said this. A few decades ago we had the War Measures Act in effect utilized in this country. People can go back and forth and debate whether the government of the day needed the War Measures Act, if it was necessary—I'm not going to debate that point here tonight—but what I think all people would recognize is that when the War Measures Act was utilized by the then federal government, a whole lot of people were picked up and put in jail who had absolutely no connection whatsoever to the original reason for the War Measures Act being utilized. If we remember the War Measures Act, it was utilized because there was a perceived crisis with the FLQ in Quebec. But, in fact, a whole bunch of people who had no connection—not the remotest connection—to the FLQ were put in jail and held for long periods of time using those emergency powers under the War Measures Act. So trade unionists who had no connection to the FLQ, artists who had no connection

to the FLQ, and people who resided elsewhere in Canada and who had no connection with the FLQ in Quebec were put in jail.

I think what Mr. Justice Campbell is saying is that there is a situation where emergency powers were very seriously abused, and he is urging us as legislators to look at to what degree the government really needs the powers that they claim in this act, and ought there not to be some checks and balances to those powers? On behalf of New Democrats, I agree with Mr. Justice Campbell. There's far more authority in these amendments than the government needs, and there aren't enough checks and balances to protect Ontarians from abuse.

**The Acting Speaker:** Questions and comments?

**Mr. Balkissoon:** Again, I want to thank the member from Kenora–Rainy River for his comments. I just want to clarify two of the points he raised. First of all, the Emergency Management Act that we have today has served the government well, but unfortunately, that act deals with the infrastructure of municipalities and the preparedness of municipalities. It does not have the powers the province requires in a provincial emergency. What we're doing here is amending that particular act and giving the government the flexibility and the powers it would need to act in an emergency in the future. This act is very clear. It creates 14 powers that cabinet or the Premier can act upon to make sure that public safety is protected.

To comment on his issue regarding Justice Campbell and civil liberties, the act finds that perfect balance. The powers are given to cabinet and the Premier so that they can act on behalf of the public and protect the public, but at the same time, the act has accountability to the public. In fact, the act clearly states that the Premier has to report to this assembly within 120 days, and that report must include all the orders that have been issued during the emergency and clearly state the justification for those orders. The act has gone one step further also: All the actions of the Commissioner of Emergency Management have to be included in the Premier's report to this assembly.

This is a piece of legislation that, yes, does take away the rights of the public for a small period of time during an emergency, but at the same time, the Premier has to report to the public on a regular basis. It's stated clearly in the act, he has to do that. He has to report to this assembly in 120 days. When we declare an emergency, it's declared for a period of 14 days; that can be extended by an additional 14 days, to 28 days. So the act strikes a real balance between taking away civil liberties and accountability.

**The Acting Speaker:** Questions and comments? Seeing none, the leader of the third party.

**Mr. Hampton:** I thank the member for Scarborough–Rouge River for the points that he's made, but I go back again to Mr. Justice Archie Campbell who, as I say, has had experience on more than one side of emergency measures. As a former Deputy Attorney General in the province and someone who worked in the Ministry of the

Attorney General for a long period of time, he's been one of those who has been in a position to exercise emergency powers and to advise governments in the past in the exercise of emergency powers, and he has the specific insights and knowledge that come out of being in the individual commission to look at the SARS crisis and to comment on what went wrong with the SARS crisis and what ought to be in future legislation.

The people in this province would be wise to listen to Mr. Justice Campbell when he points out that this government would give itself the authority in this bill to override the foundational laws that underpin Ontario's democratic legal system, including the Habeas Corpus Act, the Legislative Assembly Act, the Human Rights Code, the Elections Act and the Courts of Justice Act. That's the authority this government seeks in this bill.

Before this Legislature gives any government—not just this particular government but any government—that kind of authority, we ought to heed the advice of someone like Mr. Justice Campbell very carefully. As I read Mr. Justice Campbell, he is advising us not to do this. He says this legislation goes too far.

**The Acting Speaker:** Are there any other honourable members who wish to participate in the debate? Seeing none, and in the absence of the minister who moved the original motion:

Mr. Kwinter has moved third reading of Bill 56, An Act relating to emergency measures. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

There are a lot more than five members here. Call in the members. There will be a 30-minute bell. No, there won't.

I have here from the chief government whip to the Speaker of the Legislative Assembly: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Kwinter for the third reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000, and the Workplace Safety and Insurance Act, 1997, be deferred until the time of deferred votes, June 13, 2006." Signed by Dave Levac, MPP, chief government whip. That will be deferred until tomorrow.

Orders of the day.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move adjournment of the House.

**The Acting Speaker:** The minister has moved adjournment of the House. Shall it carry? Carried.

This House stands adjourned until Tuesday, June 13, at 1:30 of the clock.

*The House adjourned at 2040.*



## STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉES PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

### **Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziotti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craitor, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

### **Social Policy / Politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qaadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

### **Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

## CONTENTS

**Monday 12 June 2006**

### THIRD READINGS

#### **Emergency Management Statute**

##### **Law Amendment Act, 2006,**

*Bill 56, Mr. Kwinter*

Mr. Dunlop.....4523, 4526, 4530

Mr. Bisson.....4525, 4526, 4531  
4533

Mrs. Elliott ..... 4526, 4534

Mr. Hampton.....4530, 4532, 4535  
4537

Mr. Balkissoon ..... 4530, 4537

Mrs. Sandals..... 4531, 4534

Mr. Levac ..... 4533

Mr. Jackson ..... 4533

Vote deferred..... 4538

## TABLE DES MATIÈRES

**Lundi 12 juin 2006**

### TROISIÈME LECTURE

#### **Loi de 2006 modifiant des lois**

**en ce qui a trait à la gestion**

**des situations d'urgence,**

*projet de loi 56, M. Kwinter*

Vote différé ..... 4538





No. 89A

N° 89A

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 13 June 2006

Mardi 13 juin 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 13 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ELECTRICITY SUPPLY

**Mr. John O'Toole (Durham):** I rise in the House regarding the decision this morning on expanding capacity in energy generation in this province. I'm here to represent the interests and views of the Darlington generating station in my riding of Durham.

Newspaper reports have said recently that five Canadian firms representing Team Candu have promised a price guarantee to ensure that any new reactor will be built on time and on budget. Finally today we have an announcement from the provincial government: the integrated power system plan.

I have every confidence that the world-class skills of Durham riding and Durham region residents will be in play. We are leaders in the energy sector in my riding. The Darlington site offers the location, the infrastructure, the skilled workforce and a partnership with the Durham Strategic Energy Alliance. As well, the University of Ontario Institute of Technology is the first Canadian university in Canada offering a degree in nuclear engineering.

We know that Ontario must replace nearly 25,000 megawatts of generating capacity by the year 2020. Valuable time has already been lost by the McGuinty government's lack of a plan and lack of ability in leadership. As well, the policy on coal-powered generation is still a mystery to the McGuinty government.

I would urge this government to work with our partners—the federal government, the region of Durham, the municipality of Clarington—as well as the people of Ontario and members of my riding, and build new generating capacity at Darlington. We're ready, we're willing and we're able. Now get on with the job.

#### MUSLIM COMMUNITY

**Mr. Peter Tabuns (Toronto-Danforth):** This past weekend I met with constituents of mine who are of Pakistani Muslim descent.

The events of the past two weeks—the arrest of 17 Canadian Muslims suspected of involvement in terrorist plans, and the backlash the local Muslim community has been experiencing—all weighed heavily on their minds. It dominated the discussion we had.

The community expressed the need for leaders in this province to lead right now by condemning all acts of violence towards all communities, just as they condemn all attacks on their fellow Canadians; to send the message that vilifying and attacking the Muslim faith punishes the innocent; to be very conscious that we do not repeat some of the mistakes in Canadian history that led to mistreatment of minorities; and to work with the community as it examines what factors led to the arrests on June 3 and takes action to prevent Canadians from turning to extremism in the first place.

Canadian Muslims have already made constructive suggestions in this regard. For example, the Canadian Arab Federation proposed a domestic terrorism summit where we could learn and share experience from all over the world as to how to prevent and push back extremism.

While the idea of this summit was not accepted when proposed by my colleague from Hamilton East last week, I urge this government to revisit the proposal and to sponsor such a summit.

#### ONTARIO TRAILS

**Mr. Dave Levac (Brant):** I rise today to talk about an important part of Ontario life: our trails. Last Saturday, I had the privilege of speaking at the Ontario Trails Council banquet held in Brantford, on behalf of the Minister of Tourism, Jim Bradley, and the Minister of Health Promotion, Jim Watson.

Trails are important because they allow people to enjoy our province's natural beauty and take a break from the hustle and bustle of everyday life. They remind us that there is an entire world outside of our well-paved lives. They literally bring communities together by connecting cities, towns and boroughs through trails like the Bruce Trail and the Oak Ridges moraine trail.

In my own riding, we have some amazing bike and walking trails along the Grand River, including the Gordon Graves Memorial Pathway, which goes right through Brantford, the S.C. Johnson Paris to Brantford trail, and the Brantford to Hamilton rail trail. Thanks to the Brant Waterways Foundation, the city of Brantford, the county of Brant, the private sector and the army of volunteers who make these trails possible for our welfare.

Ontario has more than 64,000 kilometres of trails. Ontarians and tourists alike are seeking active experiences such as hiking and cycling. Our Ontario trails provide those experiences for all—young and old. Our trails also provide the opportunity for us to all live healthier lifestyles. Being active helps us become and stay physically

fit, which in turn keeps us healthy, active and productive citizens.

I hope we will be able to take advantage of the many opportunities trails afford us and enjoy the natural beauty of this great province. Trails really are ours to discover.

### ONTARIO ECONOMY

**Mr. Ted Chudleigh (Halton):** I rise today to implore government members to take preventive action—action that could prevent them from injuring their arms and backs, action that would surely evoke pride from the Minister of Health Promotion.

Government members, please refrain from patting yourselves on the back when contemplating Ontario's economy. Why? An article in today's *Globe and Mail* has indicated that, where business bankruptcies in Canada are falling some 10%, Ontario is the only jurisdiction where business bankruptcies are actually increasing. It should come as no surprise to the members opposite that this increase is a direct result of this government's tax-and-spend policies.

Dalton McGuinty's Ontario is slipping when compared to other Canadian provinces. Once a leader in such areas as corporate income tax, fiscal prudence and corporate capital tax, Ontario now finds itself behind Manitoba, Saskatchewan and Newfoundland in some of these areas.

As a result, the manufacturing sector is crumbling under this government's watch. The lack of competitive investment policy in this province continues to chip away at an industry that is the backbone of Ontario's economy. According to StatsCan, Ontario lost another 13,000 manufacturing jobs last month, bringing the total of manufacturing jobs lost to over 77,000 since the beginning of 2005. And, contrary to government opinion, low-paying retail and service sector jobs are not a suitable replacement for good, high-paying manufacturing jobs. To think otherwise is unacceptable.

1340

So please, members of the government side, stop patting yourselves on the back and acknowledge that your tax-and-spend policies are bankrupting Ontario's manufacturing—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### RELAY FOR LIFE

**Mr. John Wilkinson (Perth—Middlesex):** Recently, I was pleased to attend the sixth annual Relay for Life at the Stratford Education and Recreation Centre on June 2 and the inaugural Relay for Life at the Listowel Agricultural Society fairgrounds on June 9, both in my riding.

The Canadian Cancer Society Relay for Life is a celebration of survival and a tribute to the lives of loved ones who have been touched by cancer. I was pleased to bring greetings from this Legislature and celebrate the recent proclamation of the Smoke-free Ontario Act.

Cancer survivors are invited to walk the first lap of the relay to acknowledge and celebrate their courage and their struggle with the disease. It is truly inspirational. Staying up all night, teens then take turns walking, running or strolling around a track in a non-competitive relay to raise money for cancer research and programs. This year's relays also involved the very moving luminary ceremony, which involves participants lighting candles to honour a cancer survivor or someone who has lost their battle with cancer.

I note that this year's Stratford event drew 100 teams, with more than 1,200 participants raising \$217,000. The inaugural Listowel event was also impressive, drawing 52 teams, with more than 590 participants raising \$124,000 and surpassing their fundraising goal by over \$90,000.

I'd like to take this opportunity to thank the Huron-Perth chapter of the Canadian Cancer Society and all the participants and volunteers who contributed to the successful relays in Stratford and Listowel. Their efforts are helping to lead the fight against cancer and adding years to the lives of others.

I'd like to particularly welcome a good friend of mine in the gallery, Mrs. Barb Cousins of Toronto, recently of St. Marys. Welcome, Barb, and her son, Kim.

### NATIVE LAND DISPUTE

**Mr. Tim Hudak (Erie—Lincoln):** Sadly, today marks day 106 of the ongoing crisis in Caledonia. What a sad, disheartening lesson it has become for what happens when a leadership vacuum is created: Chaos ensues. What a sad, disheartening lesson it has been for what happens when the rule of law is effectively suspended: Thuggery and hooliganism fill that void. It appears that Premier Dalton McGuinty believes that when a storm is brewing in Ontario, he can duck behind his desk and hope it all blows on by.

What is most disturbing is the conclusion that people in Caledonia, Binbrook, Hamilton and Niagara have been forced to make—if not explicitly, then implicitly: The Dalton McGuinty government has sent a signal to the Ontario Provincial Police not to enforce the law when it comes to the crisis in Caledonia. The only conclusion that local residents can reach—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. Order. Minister of Health. The member for Niagara Centre.

Member for Erie—Lincoln.

**Mr. Hudak:** That is the only conclusion local residents can—

**Mr. Dave Levac (Brant):** Mr. Speaker, on a point of order: The standing orders book, in section 4 of the rules of debate, says that a member shall be brought to order when he makes allegations against another member. There is an allegation that the Premier made direction to the OPP, and that's not acceptable.

*Interjections.*



**The Speaker:** Order.

Member for Erie–Lincoln.

**Mr. Hudak:** We have a Solicitor General who effectively has condoned a no-go zone for the Ontario Provincial Police in this province. We have a Solicitor General who refused to express concern about the OPP being ordered not to wear protective gear. We have a Premier who said that this has largely been without incident. They're turning the OPP—

**The Speaker:** Thank you.

### EDUCATION FUNDING

**Mr. Tony C. Wong (Markham):** I rise in the House today to share the great news that the McGuinty government is investing \$74 million in Markham and York region's publicly funded schools.

This is part of our government's \$600-million package to boost student performance and achieve results. In three consecutive years, we have continued to demonstrate our support to ensure that primary class sizes keep shrinking; reading, writing and math achievement keep improving; and more high school students continue to graduate in my riding of Markham and across York region.

I'm very pleased to announce that through this investment the York Region District School Board will receive more than \$880 million in 2006-07. That's over \$44 million more than in 2005-06. The York Catholic District School Board will receive more than \$440 million in 2006-07, which is an additional \$29 million more than in 2005-06. For students and their families living in my riding of Markham and across York region, these funding figures mean that grants for student needs have climbed by almost 30% for both York Region District School Board and York Catholic District School Board.

We are committed to Markham and Ontario families who want the best public education for their children. I'm proud that we're reaching out to York region parents and everyone involved in education through our continued commitment. Our \$2-billion investment since coming to office—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### CONSTITUENCY OFFICE ASSISTANTS

**Mr. Lou Rinaldi (Northumberland):** It is with great pleasure that I rise in the House today to welcome guests in the gallery from my riding of Northumberland. Colleagues, please welcome Karen Harding, a constituency assistant in my Cobourg office; Mr. Peter Cleary, an outstanding young man who not only volunteers in my office but is also the vice-chair of the Northumberland Youth Advisory Council; and co-op teacher Mr. Phil McDonnell is joined by four of my co-op students: Hailey Anderson, Jenna Missen, Ian Alexander and Catherine Marr.

I want to say thank you to all the co-operative education teachers in my riding of Northumberland, and especially Mr. McDonnell, for providing top-notch stu-

dents who have chosen to work with me. You can all be proud of your accomplishments; you have been of tremendous assistance to my staff. Today I ask my colleagues to join me in welcoming you to the Legislature and thanking you for all your hard work.

### LABOUR MOBILITY

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** On June 2, I had the pleasure of joining Premier McGuinty and the Minister of Labour, Steve Peters, in Ottawa at the signing of the labour mobility agreement. This agreement allows Ontario contractors and their construction workers the opportunity to work in Quebec. They will have greater access to contracts and jobs in Quebec, including Quebec crown corporations and Hydro-Québec contracts. In exchange, Quebec contractors will have access to publicly funded contracts in Ontario. Also, Ontario construction workers who are qualified but not certified will now have the opportunity to qualify for trade activity cards from Ontario. These cards will be recognized by Quebec, and workers will be able to work anywhere in Quebec.

This is great news for the Ontario economy, our workers and our businesses, especially in my riding of Glengarry–Prescott–Russell, which runs along the Ontario-Quebec border. Workers from my riding will now have more access to construction jobs and will see more opportunity for investment. Previously, only 200 to 400 Ontario construction workers were allowed to work in Quebec. Today the whole—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### VISITORS

**The Speaker (Hon. Michael A. Brown):** I'd like members to assist me today in welcoming Alan Pope, the former member for Cochrane South in the 31st through 34th Parliaments, and his son, David.

**Mr. Cameron Jackson (Burlington):** On a point of order, Mr. Speaker: I'd like to announce that Mitchell Minor, the page from Erie–Lincoln, has his mother, Stephanie Minor, and grandparents Margaret Minor and Gwen and Len Eldridge of Burlington here in the Legislature today. He assisted with leading your processional today, and I think he did an outstanding job.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr. Pat Hoy (Chatham–Kent Essex):** I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 117, An Act to amend the Income Tax Act to provide for an Ontario home electricity payment / *Projet de loi 117, Loi modifiant la Loi de l'impôt sur le revenu pour prévoir un paiement au titre des factures d'électricité résidentielle de l'Ontario.*

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted? Agreed? Agreed.

The bill is therefore ordered for third reading.

## MOTIONS

### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i)—sorry, I thought I had time to do it before the member for Niagara Centre got over to his seat to oppose it.

I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, June 13, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion number 167. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

### Ayes

Amott, Ted	Hoy, Pat	Pupatello, Sandra
Arthurs, Wayne	Hudak, Tim	Racco, Mario G.
Balkissoon, Bas	Jackson, Cameron	Ramal, Khalil
Barrett, Toby	Jeffrey, Linda	Rinaldi, Lou
Bartolucci, Rick	Kular, Kuldip	Runciman, Robert W.
Bentley, Christopher	Kwinter, Monte	Ruprecht, Tony
Bountrogianni, Marie	Lalonde, Jean-Marc	Sandals, Liz
Bradley, James J.	Levac, Dave	Smith, Monique
Brownell, Jim	MacLeod, Lisa	Smitherman, George
Cansfield, Donna H.	Marsales, Judy	Sorbara, Gregory S.
Chudleigh, Ted	Martiniuk, Gerry	Sterling, Norman W.
Colle, Mike	Matthews, Deborah	Tascona, Joseph N.
Craitor, Kim	Mauro, Bill	Tory, John
Crozier, Bruce	McMeekin, Ted	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dombrowsky, Leona	Miller, Norm	Wilkinson, John
Duguid, Brad	Mitchell, Carol	Witmer, Elizabeth
Duncan, Dwight	Mossop, Jennifer F.	Wong, Tony C.
Elliott, Christine	O'Toole, John	Wynne, Kathleen O.
Flynn, Kevin Daniel	Ouellette, Jerry J.	Yakabuski, John
Fonseca, Peter	Parsons, Ernie	Zimmer, David
Gravelle, Michael	Peters, Steve	
Hardeman, Ernie	Peterson, Tim	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Kormos, Peter	Martel, Shelley	Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 67; the nays are 6.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### YEAR OF THE WAR BRIDE

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** We are joined today in the gallery by a very special group of women and one man who have contributed much to this province and who have served as a model of courage and determination. I speak of Ontario's war brides, more than 100 of whom are with us today to commemorate the 60th anniversary—

*Applause.*

**Hon. Mr. Bradley:** The war brides can see how much affection there is for them among all members of the Legislature, and how happy we are to have them here today. I'm speaking of more than 100 who are with us today to commemorate the 60th anniversary of the war brides' arrival in Canada.

As members may be aware, approximately 48,000 women married Canadian soldiers overseas during the Second World War. The story of their subsequent immigration to Canada during and following the war has become part of the Canadian fabric. They arrived from the United Kingdom and many other countries on the European continent. They left their homes, families and friends and set out to start a new life many thousands of miles across the ocean.

We can only imagine what a young woman of 19 or 20 must have thought as she made that crossing, often with a child, a young child, wondering what kind of life, what kind of future she would find here. Nor can we imagine the enormous adjustments these remarkable women had to make on their arrival—adjustment to a new marriage and family, to a new culture and unfamiliar surroundings and in some cases to a new language, but in all cases to a place very different from the one they had left behind.

Yet these women prevailed, and they went on to contribute to every facet of Ontario life. Many were volunteers. Many played a vital role in our communities. Many made their mark in business, the professions and public service. Equally important, these women left a legacy carried on by families in every part of the province for whom the story of the war brides has become



their own story. They did it all and they did it well, and they did it with grace and courage.

It is my privilege to declare 2006 the Year of the War Bride in Ontario. We acknowledge with gratitude the spirit and courage of the remarkable women who are with us today and the many thousands of others who have contributed so much to our families, our communities and our way of life. Thank you.

## ACCESSIBILITY FOR THE DISABLED

### ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** Today, I wish to recognize the first anniversary of the Accessibility for Ontarians with Disabilities Act, and I would like to recognize and thank Minister Bountrogianni for introducing this very important piece of legislation.

As honourable members are aware, the act lays out a road map to make Ontario accessible to all people by 2025. New mandatory accessibility standards will bring down barriers that many people with disabilities face in their daily lives. The standards will apply to businesses and organizations across Ontario, as well as government, and will address the full range of disabilities, including physical, sensory, mental health, developmental and learning.

En octobre 2005, nous avons annoncé que les deux premières propositions de normes que nous élaborerions concerneraient les domaines des transports et du service à la clientèle. Les comités ont travaillé fort, et nous avons hâte que les propositions de normes de ces deux premiers domaines soient prêtes pour un examen public cet automne.

Today I am pleased to announce our plan to develop the next three accessibility standards, which will cover the areas of information and communications, employment and the built environment.

À l'heure actuelle, selon Statistique Canada, environ 1,5 million personnes de notre province ont un handicap, soit plus de 13 % de la population de l'Ontario. Avec le vieillissement de notre génération du baby-boom, le nombre de personnes qui ont un handicap lié au vieillissement augmente aussi.

L'accessibilité est une question importante, un élément de notre société que nous ne pouvons tout simplement pas négliger.

In 2005, our government took a strong stand for accessibility when we made the Accessibility for Ontarians with Disabilities Act the law in this province. We have done some great work and made some positive headway in this area in the past year. We set up the Accessibility Standards Advisory Council, a dedicated group that has been helping us to move forward with the development of meaningful and enforceable standards. We launched seven new partnership projects that team

the provincial government up with various private sector and not-for-profit organizations to improve accessibility in innovative ways. We are investing nearly \$11 million in new funding for interpreter and intervenor services for people who are deaf or deaf-blind.

As for the Ministry of Transportation, there has been a host of improvements for accessible parking, including a new traveller's permit for people with disabilities that they can use at Ontario airports. Just two weeks ago, the minister of Training, Colleges and Universities announced \$28.2 million for universities and colleges to provide services for students with disabilities.

We've made some good progress in the years since we passed this legislation, but we still have a long way to go and much more to do. Today's announcement is moving us in the right direction and bringing us one step closer to our goal of having an accessible Ontario by the year 2025, an Ontario where everyone has the opportunity to meet their full potential.

**The Speaker (Hon. Michael A. Brown):** Responses?

**Mr. Gerry Martiniuk (Cambridge):** It is a pleasure to stand in this House on behalf of John Tory and the Progressive Conservative caucus to maintain awareness that we must continue focusing on enhancing the opportunities of persons with disabilities to participate in Ontario's economic, social and cultural life. We are all enriched as every individual in our province is enabled to fulfill their full potential and contribute to building a better society.

I am pleased to hear the progress report one year after Bill 118 received royal assent. I'll even forgive the McGuinty government for trying to claim all the credit, even though 80% of the content of this legislation came from legislation passed by the Progressive Conservative government to prevent barriers stopping Ontarians from fully participating in the life of our province, the Ontarians with Disabilities Act, 2001.

Our act was a major step forward to aid the physically challenged in our province. This first anniversary of the legislation you enacted also unfortunately marks a delay in progress. At the time you repealed the original act, many municipalities had set up accessibility committees with individuals living with physical challenges. Many of these committees had already researched and recommended plans that had been approved by their city councils. Bill 118 unnecessarily held up the implementation of these well-thought-out plans.

Today's anniversary of the new disabilities act is also the anniversary of another broken promise by Dalton McGuinty. In 2003, Dalton McGuinty promised a new disabilities act with effective enforcement. After the election, you rejected the disability community requests to establish a new independent agency to enforce the new disabilities act. The government told them a new agency wasn't necessary, since people with disabilities can file complaints with the Ontario Human Rights Commission to enforce their rights.

Now we all know that you've reneged on just another promise. The McGuinty government has broken faith



with two million Ontarians with disabilities by both gutting the human rights system with Bill 107, and refusing to include the effective enforcement measures you promised them.

Rather than a minister's self-congratulatory statement, I am certain a tremendous number of Ontarians whose interests are represented by the Accessibility for Ontarians with Disabilities Act Alliance would prefer you mark this anniversary by living up to your promise.

1410

#### YEAR OF THE WAR BRIDE

**Mr. Cameron Jackson (Burlington):** On behalf of my leader, John Tory, and our caucus, I want to join all members in recognizing this, the Year of the War Bride.

I can attest, as I've said on many occasions, as the son of a veteran in a family who sent seven members of their family overseas, and one of my uncles came back with a war bride. She happened to be from Germany, so he actually married a German war bride. When I was very young, we had a very distinct appreciation. On a personal note, I'm sort of glad, because I'm very fond of my mother, that my dad didn't come home with a war bride and went on—

*Interjections.*

**Mr. Jackson:** She would have been my mother, I know, but I doubt we were going to find someone overseas willing to bring 11 children into the family, which is my mother's legacy.

I also want to mention to members that there is a gravesite at Mount Hope airport, and that gravesite has the grave markers of about a dozen or so British airmen who came to Canada, who trained here and taught Canadian airmen. I want to remember a George Cross medal winner from Burlington, Les Preston, who married a Canadian girl. She convinced him to leave England and come here after the war. So there was a certain reciprocity there that also contributed to the rich fabric of our nation.

I remember my Scout master, who served in the later stages of the First World War and the early stages of the Second World War, brought his war bride back from Holland. For the life of me, I could never understand her when she was speaking to us, but we loved her nonetheless.

Finally, I just want to say thank you for the contribution you made. These incredible women understood the devastation that was going on in England and the horrors of occupation, and yet they never forgot with love and affection those men who came to liberate them and save their lives. We're glad they came.

**Mr. Howard Hampton (Kenora-Rainy River):** I want to speak in response to the government House leader and to thank him for proclaiming this, the Year of the War Bride. I want him to know that if he hadn't done that today, I had the private member's bill all ready to go.

I want to respond also for another reason. My grandmother was a war bride of the first war. I'm not sure the

experience was the same, but my grandfather was in the Canadian army. At the end of the first war, there was no provision made for war brides to come to Canada. My grandfather came home and worked for three years to get enough money to pay for my grandmother to come from England. When she arrived in Montreal, she took the train to Regina, Saskatchewan. When she got off the train on December 2, it was 30 degrees below zero. She said that was the one time she really wondered if she was doing the right thing.

There is so much wonderful history, and that is why I think it's so important to recognize this, the Year of the War Bride. We need to remember that war brides did not come home with their husbands. Their husbands came home as part of the military on troop transports. Wives and their children came separately. I've talked with many war brides from my own communities, who say that not knowing where you're going, not knowing who's going to be there to meet you, not knowing how many are going to be there to meet you, is really quite an experience, and the experience of stopping at a train station somewhere in rural Ontario or rural Nova Scotia where you get off the train in the middle of the night, not knowing where you are and knowing very little about what's happening is, again, quite an experience.

The fact is that young women from England, Scotland, Ireland, Wales, Holland, Belgium, France, Italy and Germany all had that experience. As the House leader said, coming to Canada, not speaking the language and not knowing much about the traditions or anything like that, must have been an incredible experience at the time.

I know from my experience in my own riding that when you go into a Royal Canadian Legion in most communities across Ontario, what you will often see as the heart and soul of the Legion will be war brides, who continue to work in the auxiliary or continue to work in the Legion to maintain something that is so important for our communities but also so important in terms of the lives and the contributions that these women have made.

I want to thank the government House leader for the announcement. But I also want to say to all of those women who are here today, on behalf of Ontarians, thank you for your courage. Thank you for what you did under what must have been very exceptional circumstances. Thank you.

#### ACCESSIBILITY FOR THE DISABLED

**Mr. Rosario Marchese (Trinity-Spadina):** In response to Madame Meilleur, here's how committed the Liberals are to making Ontario accessible: They're not going to make Ontario accessible to people with disabilities in five years, not 10 years, not 15 years, but 20. That's a long road to walk and that's a long road map that people with disabilities are going to have to follow. I've attacked this government for not dealing with this in an appropriate and timely manner.

David Lepofsky, in attacking Bill 107, speaks to this commitment to people with disabilities. He says:



"Bill 107 takes away important rights the Human Rights Code has guaranteed for decades, like the right to public investigation of human rights cases, the right to public prosecution where evidence warrants, the right to fair procedures at the Human Rights Tribunal, the right to an appeal to court from the tribunal, and freedom from tribunal user fees....

"We are frankly staggered that the government has turned such a cold shoulder on the major players in the disability community that it partnered with so well when it developed its new disability act....

"A small group, mainly some lawyers, has had the inside track with the government over the past months, well before this government plan was announced. We've only gotten lip service."

That is a shame to people with disabilities.

## DEFERRED VOTES

### EMERGENCY MANAGEMENT STATUTE

#### LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS

#### EN CE QUI A TRAIT À LA GESTION

#### DES SITUATIONS D'URGENCE

Deferred vote on the motion for third reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

**The Speaker (Hon. Michael A. Brown):** We have a deferred vote on the motion for third reading of Bill 56. Call in the members. This will be a five-minute bell.

*The division bells rang from 1418 to 1423.*

**The Speaker:** Mr. Kwinter has moved third reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997. All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnett, Ted  
 Arthurs, Wayne  
 Balkissoon, Bas  
 Barrett, Toby  
 Bartolucci, Rick  
 Bentley, Christopher  
 Bountrogianni, Marie  
 Bradley, James J.  
 Broten, Laurel C.  
 Brownell, Jim  
 Bryant, Michael  
 Cansfield, Donna H.  
 Caplan, David  
 Chambers, Mary Anne V.  
 Chudleigh, Ted

Fonseca, Peter  
 Gerretsen, John  
 Gravelle, Michael  
 Hardeman, Ernie  
 Hoy, Pat  
 Hudak, Tim  
 Jackson, Cameron  
 Jeffrey, Linda  
 Kular, Kuldip  
 Kwinter, Monte  
 Lalonde, Jean-Marc  
 Leal, Jeff  
 Levac, Dave  
 MacLeod, Lisa  
 Marsales, Judy

Parsons, Ernie  
 Patten, Richard  
 Peters, Steve  
 Peterson, Tim  
 Papatello, Sandra  
 Racco, Mario G.  
 Ramal, Khalil  
 Ramsay, David  
 Rinaldi, Lou  
 Runciman, Robert W.  
 Ruprecht, Tony  
 Sandals, Liz  
 Smith, Monique  
 Smitherman, George  
 Sorbara, Gregory S.

Colle, Mike  
 Cordiano, Joseph  
 Craitor, Kim  
 Crozier, Bruce  
 Delaney, Bob  
 Di Cocco, Caroline  
 Dombrowsky, Leona  
 Duguid, Brad  
 Duncan, Dwight  
 Dunlop, Garfield  
 Elliott, Christine  
 Flynn, Kevin Daniel

Martiniuk, Gerry  
 Matthews, Deborah  
 Mauro, Bill  
 McGuinty, Dalton  
 McMeekin, Ted  
 McNeely, Phil  
 Meilleur, Madeleine  
 Miller, Norm  
 Mitchell, Carol  
 Mossop, Jennifer F.  
 O'Toole, John  
 Ouellette, Jerry J.

Sterling, Norman W.  
 Takhar, Harinder S.  
 Tascona, Joseph N.  
 Tory, John  
 Van Bommel, Maria  
 Watson, Jim  
 Wilkinson, John  
 Witmer, Elizabeth  
 Wong, Tony C.  
 Wynne, Kathleen O.  
 Yakubuski, John  
 Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Hampton, Howard  
 Horwath, Andrea

Kormos, Peter  
 Marchese, Rosario

Martel, Shelley  
 Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 81; the nays are 6.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## VISITORS

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** On a point of order, Mr. Speaker: I rise to recognize the mother of page Meagan Blandizzi. Her mum, Anna Blandizzi, is in the east gallery, and she is from the wonderful riding of Scarborough East. Welcome.

## ORAL QUESTIONS

### ELECTRICITY SUPPLY

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. One of the most important promises you made during the course of the 2000 election campaign—important in the context of its fundamental role in the secure supply of electricity for Ontario—was the promise to close all the coal-fired generating plants by 2007. Could you share with us what analysis you requested and what analysis was presented to you when you made that promise? It had no asterisk, no qualification at all; it was just to close the plants by 2007. What analysis was shared with you at that time before you made that important promise that had so much to do with electricity supply and our economy?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I am very proud that earlier today our Minister of Energy, Dwight Duncan, announced our balanced, responsible plan, which will ensure that Ontario's electricity needs will be met right through to 2025. Again I say, it is both balanced and responsible. It takes into account our immediate needs and our longer-term needs. It takes us beyond the 2007

election, beyond the 2011 election. It takes us far beyond that to ensure we are in fact making decisions today that will enable us to bring sufficient capacity online to meet our needs on an ongoing basis right through until 2025.

**Mr. Tory:** What's really unfortunate is that the Premier did not think about having a balanced and responsible approach to this issue when he was campaigning in 2003 and made at that time a promise he knew was irresponsible then. It's a promise that has been broken. It has been re-broken, and now, of course, it has been absolutely shattered. You promised in 2003 that the coal plants would be shut down by 2007, come hell or high water. When we asked you over and over again, you kept promising that those plants would be shut down. You denied that the promise was irresponsible and politically motivated, and you ridiculed anyone who suggested otherwise. Your Minister of Energy became very fond of suggesting to anyone who said we might need the coal plants for a while that they were cavemen. Now we know on which side of the House Barney Rubble and Fred Flintstone really sit.

Since you didn't answer it the first time, can you tell us: Did you do any analysis at all before you made the promise, or did you just decide you were going to try and bamboozle the voters by having them believe you would close them down—

**The Speaker (Hon. Michael A. Brown):** The question—order. Premier.

1430

**Hon. Mr. McGuinty:** I offer my kudos to the Leader of the Opposition's writers. Well done.

I can tell you we remain very sincere in our determination to replace coal-fired generation at the earliest possible opportunity. To give you some sense of how difficult it is to assess these kinds of things, the Independent Electricity System Operator, which is a panel of experts well-qualified in these matters, recently revised their estimates with respect to ongoing demand and capacity. We of course took that into consideration.

I made it clear from the outset that we will not do anything at any time that in any way, shape or form would compromise reliability. We have the plan now in place. It may not be the plan we originally sought out to put in place but we are convinced that it is responsible, it is balanced and it will get the job done, incorporating all those values that Ontarians would like us to bring into their plan.

**Mr. Tory:** I'm sure that sincerity we're bringing here today is the same sincerity you meant to apply to your promise in 2003 to close the plants by 2007. And the fact that you would come in here today and essentially hang these IESO people out to dry when they and you just figured out that hot weather happens in the summer to me is absolutely incredible.

The truth is that this promise of yours has been broken and re-broken, and now you've extended it at least five years from the 2007 date that you picked and that you promised to the people of Ontario in the election campaign. When we asked you to change your promise, you

ridiculed us. When we asked you to talk about installing scrubbers, you ridiculed that.

As the leader of the NDP said yesterday, when trust in politicians is already at a low ebb, it's at a low ebb because of the cynical promise-breaking you engaged in. Will you now get up and at least have the decency to apologize to the people of Ontario for bamboozling them in this way in the 2003 election, misleading them and making promises you knew—

**The Speaker:** Premier?

**Hon. Mr. McGuinty:** I want to tell Ontarians, because I know they would be very interested in this plan—so they get a better sense of what in fact we are doing by way of this plan.

First of all, with respect to gas and cogeneration, at present there are 5,000 megawatts of capacity: We are going to virtually double that. With respect to our renewables, there are about 7,800 megawatts now: We're going to double that by 2025. With respect to conservation, presently we have 675 megawatts: We're going to increase that to 6,300 megawatts. It's also important to note that when it comes to electricity derived from our nuclear generators, we're in fact going to hold the line at the existing 14,000 megawatt capacity.

We believe we've brought forward a balanced, responsible plan that takes into account the values of the people of Ontario; in particular their desire to have more energy for renewables, their desire to conserve more and to make sure that we have a sufficient supply of new capacity in place.

**The Speaker:** New question, the Leader of the Opposition.

**Mr. Tory:** It is to the Premier. After promising to come forward with something that even resembled a plan, 60 days after you got the OPA report, you've now had 186 days to come forward with what you call this plan today. So let's talk about one of the things you just mentioned.

You're the man who's been talking about brownouts and blackouts, and what we really have from you today is a commitment with no details on conservation. We have a commitment that is not certain on nuclear, and we won't even see any of the nuclear power for 10 or 12 years.

You've talked about taking conservation from 600 megawatts to 6,000 megawatts. Provide us, if you would, with the details as to how that's going to happen. Give us the details.

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** Already this government has brought on \$1.5 billion in new conservation investment. Already this government has brought onto line 1,300 megawatts of new, non-hydro renewable power. We provided the answer to the leader's colleague Mr. Yakabuski in written form. That party did nothing on renewables—nothing. That party, in spite of a 8% increase in demand for electricity, saw installed capacity decrease. That is not an acceptable way to do business in this province.



We are bringing on a supply of new, cleaner, greener electricity that will ensure affordability and reliability going into the future so that Ontario will remain competitive and so that our economy can continue to grow at the record pace it's been growing under the McGuinty government in the last two to three years.

**Mr. Tory:** I'm sure the members will note: not a single detail on conservation. A big claim from the Premier: We're going from 600 to 6,000 megawatts on conservation. Not one detail could you just offer now as to how you're going to do that. Do you know why? Because you don't have any. You don't have any details whatsoever.

You and the Premier have repeatedly ridiculed those who suggested you look at technology that could help clean up the air coming out of the coal plants because you said there wasn't any such technology. Today you suggested that the OPA, in another one of your PR smokescreen manoeuvres, should examine—you've asked them to examine that technology and give you the pros and cons. I'd like to know whether you've changed your mind and now there actually is technology for them to examine; and if that's so, then admit you were wrong before; or, why have you wasted two and a half years asking them to examine that technology when people could have been breathing easier by now if you'd done this two and a half years ago, when you should have?

**Hon. Mr. Duncan:** Let me tell you what the member opposite said on April 25. The member opposite said that the elimination of coal-fired plants is a good idea. The next day he said, "I don't know how you could rule coal in or out."

Let me give you some facts and figures. Under Mr. Tory's party, under the Tory party, emissions related to coal-fired generation: SO<sub>2</sub> increased 51%. Under the Liberals, it has decreased by 28%. Under Mr. Tory and the Tory party, NO<sub>x</sub> emissions, the NOs, up 25%; under the Liberals, down 34%. That party is opposed to Kyoto; we support Kyoto. Under the Tories, a 56% increase in CO<sub>2</sub> emissions; under the Liberals, a 15% decrease.

We remain committed to eliminating coal-fired generation in a practical fashion from our mix, and we will achieve that goal in a timely fashion—

**The Speaker:** Thank you. Sit down.

Final supplementary?

**Mr. Tory:** The fact is, they won't be around to achieve whatever is achieved. That's because, on taxes—

*Interjections.*

**The Speaker:** Order. We'll just wait. The Minister of Education.

**Mr. Tory:** My question, again, to the Premier: There was one other important detail, I believe, that was missing from your announcement today. Will the Premier confirm that, two and a half years later and \$30 million worth of expenditure later, you in fact have decided to cancel the conversion of the Thunder Bay generating station from coal to gas? My question is, why would you not have shared that detail with the public today? And who's going to pick up the tab? I'm assuming it's going

to be the hard-pressed hydro ratepayers who will pick up the tab for the \$30 million expended to date on that project which you've cancelled and not told the people about.

**Hon. Mr. Duncan:** It's very clear: We've referred the coal shutdown plan to the Ontario Power Authority for review and recommendation. One other thing I can tell the member opposite is that the amount of electricity created by coal-fired generation in this province is down 17% since this government took office. What I can tell you is that we are doubling renewable capacity in Ontario as we move forward, something that member and his party opposed and have voted against.

This is a balanced, responsible plan to achieve cleaner, greener, more secure, more cost-effective, affordable power going forward in Ontario. This plan will serve the residents of this province well today and into the future, and we stand behind it.

1440

**The Speaker:** New question. The leader of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** Speaker, a question for the Premier. Today will go down as the day that Dalton McGuinty hit the nuclear button: \$40 billion for expensive, unreliable and environmentally risky nuclear plants; \$4 out of every \$5 of your electricity scheme for nuclear plants, not counting cost overruns.

My question is this: Why throw another \$40 billion into your nuclear mega scheme without even trying energy efficiency and energy conservation?

**Hon. Mr. McGuinty:** It cannot be that the leader of the NDP paid any attention to the actual contents of the plan we released today, because that bears no passing resemblance to the plan we released earlier today. The plan, in fact, has a very aggressive conservation component; it has a very aggressive renewables target. Beyond that—and this is where there's a real separation in terms between our perspective on this and the leader of the NDP's—we still feel we're going to have to build more new generation in Ontario. He feels that we can get away without building any new generation whatsoever between now and 2025. So people clearly understand we're talking about—

*Interjection.*

**Hon. Mr. McGuinty:** Yes, there's going to be more new nuclear, but in fact we're simply holding the line. There are 14,000 megawatts at present capacity. We're talking about ensuring that by 2025 there is also 14,000 megawatts of capacity. We're holding the line on nuclear in the province of Ontario.

**Mr. Hampton:** Premier, you're now almost through your third year of government, and people across Ontario still don't see a conservation plan or an energy efficiency plan from your government. What they do see when they read what you released today is that you're going to sink \$4 out of every \$5 into more nuclear. But nuclear has an expensive history in Ontario: cost overrun after cost overrun after cost overrun has racked up billions of dollars of debt on the hydro bill. You give vague



promises about doing something about that, but the fact of the matter is that people pay for that hydro debt every day.

How do you justify another \$40 billion for expensive, unreliable and environmentally risky nuclear plants when working families in Ontario are still paying on their hydro bills for the debt of the first generation of nuclear plants?

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Mr. Duncan:** Let me begin by reminding the member that the plan today will see Ontario's nuclear capacity decrease from 40% to 30%. That's a 25% decrease. Let me remind the member that in terms of power produced, it will decrease from 50% to 40%. That's a 20% reduction. Let me remind the member opposite that there's one government in the history of Ontario that has brought a nuclear project in on time and on budget. That was the Dalton McGuinty Liberal government. And there's one government that has actually paid down the nuclear stranded debt. That's the Dalton McGuinty Liberal government. The member opposite will remember we paid down \$1.1 billion of that debt last year: the first time that has happened.

This is a balanced, responsible plan that will ensure clean, green, affordable, secure, safe power for this province now and well into the future.

**Mr. Hampton:** Well, it could only be for Dalton McGuinty that when \$4 out of every \$5 is going for nuclear, he would call that balanced and he would call that green. Here's what people are saying about Dalton McGuinty's nuclear mega scheme: "Nukes are anything but solid"—Tom Adams, Energy Probe; "A huge betrayal"—Jack Gibbons, the Ontario Clean Air Alliance; "Nuclear power has far too many costs to justify investing our future in it.... The cheapest, most effective way to start building our system is to invest in maximizing energy efficiency"—Dr. David Suzuki.

Premier, you're fond of inviting Mr. Suzuki to your photo ops. Why don't you listen to David Suzuki and say no to nukes and say yes to positive, practical plans for renewables, energy efficiency and conservation? Why don't you listen to Dr. Suzuki rather than simply—

**The Speaker:** The question has been asked.

**Hon. Mr. Duncan:** Let me quote to the leader of the NDP what Patrick Moore, the co-founder of Greenpeace, said today, "Nuclear energy is clean, safe, cost-effective and reliable—non-greenhouse-gas-emitting power source that can effectively replace fossil fuels while helping to alleviate the massive shortfall of 24,000 megawatts in Ontario's energy supply expected by 2025."

The member opposite is in wonderland. His numbers are just picked right out of the air. He said, "What did we do on conservation?" Let me remind him. We have now given directives worth \$1.5 billion. Those programs are coming on stream. Deep lake water cooling is expanding in Ontario—25 innovative programs.

What did he do? Let's go through it. R2000 homes, homes built to federal R2000 energy efficiency standards: project cancelled. Power saver month under the

old Ontario Hydro: project cancelled. There's a list of 10 more I'd be happy to go over with him in the supplementary.

**The Speaker:** Thank you, Minister. New question.

**Mr. Hampton:** To the Premier: It's interesting how far the government will go to try to find somebody to endorse their nuclear plan. But what is really disappointing here, as I said earlier, is it's three years into the McGuinty government and there still is no real plan for energy efficiency and conservation. California invests 30 times what the McGuinty government invests in energy conservation. Manitoba invests 33 times what the McGuinty government invests in energy efficiency and conservation. What we saw today was the McGuinty government picking more numbers out of the air for energy conservation and efficiency. The last time Dalton McGuinty did that, it was something called the coal promise, which he broke again and again.

My question to the Premier is this: Why should hydro consumers in Ontario trust your numbers and promises today when you so easily and repeatedly broke your coal promise?

**Hon. Mr. McGuinty:** The minister.

**Hon. Mr. Duncan:** Let me just review the record on conservation with the member opposite. Power saver month, which encouraged customers to purchase energy-efficient products at local retailers with reduced prices: project cancelled. The refrigerator cashback program, which encouraged consumers to purchase new, energy-efficient refrigerators with a \$50 rebate: project cancelled. Street lighting, to encourage the upgrading of 300,000 inefficient Ontario street lights with cash rebates covering 25% of total conservation project costs: project cancelled.

This plan doubles what the OPA recommended on conservation. It doubles renewables. But most importantly, it ensures that the lights will stay on in Ontario. This government's plan will work. This government's plan is already working. I will stack this government's record up against yours on any of these issues any time. Our first priority—

**The Speaker:** Thank you. Supplementary.

**Mr. Hampton:** More promises from the McGuinty government, and I'm reminded of that coal promise. Premier, you broke your coal promise, not once but twice. Now, when I read the fine print today, you've washed your hands completely of the coal promise. You're now saying it's the Ontario Power Authority's responsibility to keep your promise, not yours. Environmentalists like Jack Gibbons say that makes you no better than Ernie Eves. Premier, how can you justify down-loading responsibility for keeping your coal promise, when you said you were the one who was going to close coal plants, come hell or high water?

1450

**Hon. Mr. Duncan:** I just happen to have with me publicpower: Practical Solutions for Ontario, and let me read from that document, page 29: "Howard Hampton and the NDP have long demanded the closure of



Ontario's dirty coal-burning generating stations. But converting them to cleaner gas by our target date of 2007 is only part of the solution."

What did he say a year later? "I was asked this question during the campaign. I said, you can't do it in three years." So he said one thing then, another thing again.

He was up north not long ago and said, "Keep the coal plants open," and then came down south and said, "Close the coal plants."

There's one party that's committed to reducing the pollution, to reducing the emissions related to coal-fired generation. There's one party that has a record of achievement in that. It's the Liberal Party in this Legislature under the leadership of Premier McGuinty.

Emissions are down. We will continue to move towards the elimination of coal-fired generation in Ontario in a practical, responsible fashion.

**Mr. Hampton:** I say again that today we've seen Premier McGuinty break the coal promise not once, but twice, and now it's not even his responsibility. It has been handed off to another organization. Today is also the day that we actually see the fusion of the Liberal and Conservative energy policies. Dalton McGuinty has now come together, united in favour of expensive, unreliable, and environmentally risky nuclear power, and he's okay with coal, too. Premier, can you tell us this: When exactly did you adopt the Conservative electricity policy for your government?

**Hon. Mr. Duncan:** The one thing I can suggest is that neither opposition party has a plan for electricity, and we do. Let me remind the member opposite that coal—

**The Speaker:** I am having great difficulty hearing the Minister of Energy respond.

**Hon. Mr. Duncan:** Under his watch, pollution with coal went up; under ours, it went down. Under his watch, conservation was eliminated; under our watch, it's being increased by 10 times. Under his watch, Conawapa was cancelled, new renewables were not done, no wind power was brought on; under our watch, wind power is up, hydroelectric is up, new power is up, supply is more secure. Under his watch, prices went up and up and up, and under his lack of plan, he wants to quadruple prices yet again.

This is a responsible plan. It will double conservation, double renewables, reduce our reliance on nuclear and ensure greater security moving forward. It's a good plan for the future of Ontario.

**The Speaker:** New question, the Leader of the Opposition.

**Mr. Tory:** Mr. Speaker, I don't suppose I'm able to ask you a question as to which one is Fred and which one is Barney, but never mind. That's beside the point.

#### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** I have a question for the Premier, and it concerns Caledonia. Premier, during the 105 days of the standoff in Caledonia, could you tell us how often or with what frequency you,

your ministers and members of your staff have been briefed by senior officials of the Ontario Provincial Police?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I want to take this opportunity to update the House with respect to some of the statements I made yesterday and the ensuing developments.

First of all, I want to acknowledge the work of the Six Nations leadership to remove barricades. I'm pleased to report that the Highway 6 bypass barricade is down. The MTO is assessing the road together with the OPP, and I understand that it will be open as soon as possible. I also understand that the railway blockade is in the process of being removed.

I think we've taken some major steps forward. It will go a long way to allow the communities to get their social and economic life back to normal. Given this progress, I see no reason right now why talks will not continue this Thursday as scheduled.

**Mr. Tory:** That was absolutely unresponsive to the question I asked, and I would note, since the Premier decided to give us an update, that it took them one year to do anything about this and it took 105 days for him to come out of his office and finally speak up on this matter at all.

Yesterday, the Premier assured this House that no one in his government had given any instruction to anyone in the OPP at Caledonia. I want to just make absolutely sure about this and make sure that you are too, and I'm assuming that, in answering yesterday and today, you will have made all reasonable inquiries in that regard. Will you assure the House that no one in the government—no elected official, no minister, no elected member of Parliament, no staff member in your office, no public servant—has at any time advised the OPP as to what they should do or what they should not do at Caledonia with respect to their handling of any aspect of that matter? Can you confirm that?

**Hon. Mr. McGuinty:** To confirm, we believe on this side of the House that the police are independent, and we have and will continue to respect that.

Let me say as well that we have also been advised that the Six Nations police and the OPP are co-operating in the investigation of Friday's incidents. Beyond that, given that that co-operation exists, given that these barricades are coming down, given that talks will in fact be proceeding should nothing untoward happen between now and Thursday, what we're now saying beyond that as well is that we're going to proceed as quickly as we can to deal with the issue of fair compensation for the developers. We think that this is a matter over which they had no influence. We'll work as hard as we can to resolve the issue of compensation for the developers, and we'll do that as quickly as we can.

#### ELECTRICITY SUPPLY

**Mr. Peter Tabuns (Toronto-Danforth):** My question is for the Premier. Premier, during the last election



campaign, New Democrats raised questions about your plans for nuclear power. In response, your staff e-mailed the following to me and other environmentalists: "NDP research lied when they sent out an e-mail on the weekend stating that Dalton McGuinty has announced that his government will build more nuclear power plants in Ontario...."

"A new nuclear plant is not in our plan."

Today, with the benefit of hindsight, do you still believe that people who claimed you planned to build nuclear power plants were lying?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** I will remind the member opposite that in Ontario today, we have 14,000 megawatts of installed nuclear capacity. In 2025, we will have 14,000 megawatts of installed nuclear capacity. What we announced today is that we will likely have to build two new reactors—reactors, Mr. Speaker—on an existing site. What we also did today, unlike that member and the members opposite in the NDP, we're ensuring that we have a reliable, safe, secure, cleaner, greener supply of energy today and into the future. We're making the decisions that previous governments refused to make in order to protect this great province and ensure that we'll have enough electricity to power our homes, businesses and farms well into the future.

**Mr. Tabuns:** Three years ago, when the Premier asked the people of Ontario to make him Premier, he said he had a plan for the province. He said he could increase spending without increasing taxes. He said coal plants would be gone by 2007, "come hell or high water." And when people suspected that you planned to build new nuclear plants, they were called liars. How can you expect to have any credibility on the energy issue or any other issue when you come forward with the kind of plan you've come forward with today?

1500

**Hon. Mr. Duncan:** The lights will stay on. We have a cleaner, greener balance of power. We will double renewables. We will double conservation. Unlike that member and his party, we won't cancel conservation programs.

*Interjections.*

**Hon. Mr. Duncan:** Plus ça change, plus ça change. Here's what the NDP energy minister said about nuclear power—it's kind of the Howie in wonderland story we're hearing today. Here's what she said: "I would not, however, rule out absolutely the possibility of building new nuclear stations, although we do hope that will not be necessary." That party sat in office when Darlington came online in spite of the fact they said it would close down. We have a responsible plan for a balanced supply mix that sees no increase in our reliance on nuclear power and in fact decreases the amount of installed nuclear capacity and decreases the amount of nuclear power we need moving forward.

## FAIR ACCESS TO PROFESSIONS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** My question is to the Minister of Citizenship and Immigration. Constituents of mine have watched and responded positively to your ministry's plan to break down barriers for skilled newcomers. On June 2, along with the Honourable Gerry Phillips, you announced that the McGuinty government will be creating an internship program for skilled newcomers through the Ontario public service, and the following day you announced a loans program that will go a long way toward helping individuals defray the costs associated with exams and applications. Most significant, however, was last week's introduction of Bill 124, the Fair Access to Regulated Professions Act, which, if passed, will be the first legislation of its kind in Ontario and in Canada. Minister, in addition to the internship and loans program, how will this groundbreaking legislation help to break down barriers for internationally trained professionals?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I want to thank the member for Stormont–Dundas–Charlottenburgh, whose idea it was to bring the war brides here. I thought that was a very inspirational initiative. Thank you for doing that.

Bill 124, as the member said, is the first attempt by any government in Canada to regulate not one or two but all 34 regulatory bodies in this province. Whether it is the College of Physicians and Surgeons, the architects or the engineers, they are all now going to have to comply for the first time, not voluntarily but by legislation, if the bill is passed. Their rules are going to have to be fair, transparent and timely. There will be supervision and there will be oversight by a fairness commissioner that will ensure that these bodies are fair in their application processes so that we don't have delays where 13,000 people aren't allowed to practise in this province.

**Mr. Brownell:** This is truly innovative legislation, and I hope that all members of the Legislature understand the importance of this bill.

Minister, as you know, thousands of newcomers come to Ontario every year, and many choose to settle in my riding of Stormont–Dundas–Charlottenburgh. Some of my constituents who have global expertise have advised me that the application process can be a daunting experience, to say the least. What does this legislation propose to do to help internationally trained professionals navigate the system?

**Hon. Mr. Colle:** Right now the 13,000 highly trained individuals who come to the province every year have nowhere to go to in terms of how to get help to navigate the system. This bill, if passed, establishes an access centre in the government that will help them navigate the complexity of these 34 regulated professions. They're going to have help, they're going to have clear rules for the first time and they're going to have removal of delays. They're also going to have a fairness commissioner to ensure compliance. Thirty-four regulatory bodies will now have to adhere to these rules that give



these trained individuals a fair chance. This is aggressive legislation, but it's long overdue and it's about time that we made these changes to improve not only the plight of foreign-trained individuals; this is good for all Ontarians. Our economy needs them; our society needs them. Let's support this bill to give them a fair chance.

### ELECTRICITY SUPPLY

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** My question is for the Minister of Energy. Minister, earlier today you refused to answer or even acknowledge the question of the Leader of the Opposition when it came to the cancellation of the contracts involved in converting the Thunder Bay thermal station to natural gas from coal. The people of Ontario and the people of Thunder Bay have a right to know. You people change policy as quickly as the weather forecast changes in Ontario.

Minister, what are your plans for the generating station at Thunder Bay? Come clean with us, please.

**Hon. Dwight Duncan (Minister of Energy):** As indicated this morning in the press releases, in the background documents and in my statement, the plants will stay open until the power authority reports back for a closure plan.

I will also remind the member that we have invested in the last provincial budget; we're creating an energy research station in Atikokan. The member opposite may not be aware of this, but there is a lot of room for expansion there.

With respect to Thunder Bay and the conversion to gas, once we have a report back from the OPA, those final determinations will be made.

**Mr. Yakabuski:** Again, you're not even confirming that you've cancelled the contracts. How can you expect people in this province to have any confidence when you sign contracts and you cancel them? Your credibility on this issue went tumbling down just like the four sisters yesterday. You have no credibility on this issue.

I'll ask you one more time. The people of Thunder Bay, to whom you said you were converting that coal plant to natural gas, have a right to know what the future is for them. There are hundreds of jobs involved here, and peripheral jobs surrounding the power plant as well. Power is required. What is your plan for the generating station in Thunder Bay, Minister? Please tell us. There are people up north who are very worried because your plans on this issue seem to change from day to day.

**Hon. Mr. Duncan:** First of all, there are about 90 full-time jobs at that plant. The plant will stay open. It will fire on coal until such time as the power authority reports back to us on the most practical way of removing the emissions from that.

I'll remind the member opposite that we expect the power authority to report back, probably by January 2007.

### NUCLEAR WASTE

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Premier. Premier, with your announcement you're making today of expanding the nuclear capacity of Ontario, we already know that we have about 30,000 tonnes of nuclear waste that we're trying to find a disposal place for. And now we know, with new production coming on line, we're going to have even more nuclear waste. So my question to you is a very simple one. People of northern Ontario don't want any nuclear waste buried in their backyard. Are you prepared today in this House to commit that that nuclear waste will not be disposed of in northern Ontario in some deep abandoned mine?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Speaker, to the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** I remind the member opposite that the Nuclear Fuel Waste Act required the Nuclear Waste Management Organization to examine three options or methods for the long-term management of used nuclear fuel waste: deep geological disposal, storage at nuclear reactor sites, and centralized storage either above or below ground. It's my understanding that each option was found to have distinct advantages but none perfectly met all the objectives citizens said were important. This led the Nuclear Waste Management Organization to develop a fourth approach, an adaptive phased management that builds on the strengths of the others. The NWMO recommendation has been formulated after extensive public consultations and input from Canadians across the country, including First Nations, Metis and Inuit.

The decision on the NWMO's recommendation lies with the federal government. I remind the member of that. The federal government is expected to announce its decision in July 2006.

**The Speaker (Hon. Michael A. Brown):** Supplementary?

**Ms. Andrea Horwath (Hamilton East):** The question is to the Premier. Yesterday, your Minister of the Environment refused to guarantee that Hamilton will be protected from Toronto's sewage sludge. What about high-level radioactive waste?

Today, you absolutely—

*Interjections.*

**The Speaker:** All right.

**Ms. Horwath:** What about high-level radioactive waste? That is the question. Today, will you absolutely guarantee that the Hamilton and Niagara regions won't be forced to accept Ontario's radioactive nuclear waste?

**Hon. Mr. Duncan:** Let me repeat to the member opposite that her supplementary has nothing to do with the original question. Let me re-emphasize. The Nuclear Waste Management Organization, which is a federal body making determinations based on four available options, will report back in July 2006.



1510

I thought the Minister of the Environment gave an excellent response to that question yesterday—outstanding. Instead of bluster and nonsense and Howie in wonderland about fictitious issues, the Minister of the Environment has a plan. This government's environmental record is second to none. This government's energy record is second to none. We're going to ensure the lights stay on, the environment gets greener, and we're committed to making sure the people of Ontario have a reliable, safe, secure supply of electricity well into the future.

#### TEACHERS' PROFESSIONAL DEVELOPMENT

**Mrs. Liz Sandals (Guelph-Wellington):** My question is for the Minister of Education. Minister, investment in our students and schools is extremely important to the academic development of our children. Under the previous government, funding for after-school activities was cut, class sizes were increased and teachers were not given sufficient funds for necessary classroom aids and teaching tools, which had a significant negative impact on students' learning experience. One of the keys to ensuring that students are getting the best possible education is to provide teachers with time during the school year to upgrade their skills. The previous government, unfortunately, did not seem to understand this.

Minister, can you tell me what our government is doing to ensure that our students are being taught by teachers who have the chance to continually improve themselves?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I'm very pleased to say that these last couple of weeks have been tremendous weeks for education. Everyone will recognize yesterday's announcement of \$600 million invested in our system for our kids, and we are thrilled.

Last week was a great week for education because what we recognized is that the key for our kids is professional development. Last Monday, we announced a \$23-million investment in professional development for our teachers that we'll be rolling out through summer institutes, which worked extremely well these last two summers, and we are very excited about that. Last week as well, we announced special professional development focused on special education, another key area for this government. Indeed, these last two weeks have probably been some of the best in education in a long time.

**Mrs. Sandals:** I know from my experience how important it is to deliver summer institutes and professional development in special education. Thank you very much.

I know your ministry has been working very hard to reverse the damage done by the previous government, which took away valuable learning and development time from teachers during the school year, ultimately taking away from our students. To further enrich the learning experience of our students and to ensure the continued

professional development of our teachers, it is necessary to provide teachers with opportunities to learn new techniques, develop relationships with veteran teachers and gain greater confidence in their abilities.

Minister, what are you doing to provide access to these things for our teachers in order to contribute to the continued success of our students?

**Hon. Ms. Pupatello:** I'm very pleased to say that the teachers are indeed developing, and they are doing so in a number of areas that will benefit children in the classroom. In the area of literacy and numeracy, I've talked repeatedly about what I call the rock star of education, and that is Avis Glaze, who is travelling far and wide across the province teaching those kinds of skills directly to people who are in the classroom.

During our professional development there is definitely a focus on literacy and numeracy. There's a huge focus on differentiated instruction, which means customization and individualization of teaching in the classrooms so every single student is getting what he or she needs. Because that is something that isn't new but it is definitely a focus, we know that our kids are, in fact, doing better. In fact, our test scores are showing that, so we're very impressed by the commitment that our teachers are making to their profession and we are pleased to support them with significant investment.

#### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds-Grenville):** I have a question for the Premier. Yesterday, and I'm quoting from Hansard with respect to the Caledonia situation, you said, "We are no longer prepared to continue negotiations until two important conditions are met: First ... the barricades"—plural—"must come down, and they must stay down; and secondly, we are asking the leadership to co-operate ... with the OPP so that they might apprehend the individuals involved."

Premier, we know that all the barricades are not down. Two, apparently, have been removed. We know that we're not getting co-operation from the leadership of the occupiers, and I would indicate that you stood in this House yesterday and laid down two very clear conditions. Today, you're backing away from them. What kind of signal does that send if you're prepared to throw them out the window the very next day?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I think it's really important that we bring the appropriate tone and demeanour and sense of civility in dealing with this issue.

First of all, I should let the honourable member opposite know that my office was informed today by the OPP that they are in fact receiving co-operation from the First Nation police service with respect to the apprehension of the individuals involved. I'm not going to second-guess that. I think that satisfies clearly from my perspective the condition that I imposed yesterday.

Secondly, the barricades are, if not down, certainly coming down. Again, the Highway 6 bypass, I've just



been advised, is now open to traffic. I understand that the railway blockade is in the process of being removed. I think there has been a demonstration of good faith on the part of the First Nation leadership. I think it's time for us to get back to the table and finish this job.

**Mr. Runciman:** The Premier didn't qualify his conditions yesterday. Today, he's qualifying his conditions.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. The member for Leeds—Grenville.

**Mr. Runciman:** Premier, a press release from the Six Nations Confederacy, supported by Chief Allen MacNaughton today in a radio broadcast, indicates they are now hiding the people named in the OPP's seven arrest warrants. The release also indicates that these charges, through treaty rights, do not fall under crown jurisdiction. In other words, the OPP has no authority to arrest. They're kicking sand in your face. Premier, can you indicate how your government plans to react to this in-your-face effort to obstruct justice and how it will impact future negotiations?

**Hon. Mr. McGuinty:** Again, I think it's really important, as we engage in these kinds of difficult, potentially explosive situations, that we bring a certain element of calm as we deal with these things. The members opposite seem to be very unhappy with the recent turn of events. Barricades are coming down. We received word from the OPP that they are receiving co-operation from the First Nations police, but the member opposite is obviously not satisfied with that. I don't know what he's looking for, but what we are looking for is to continue the successful conclusion of these negotiations so that everybody connected with this can get on with their lives in as peaceful a manner as possible.

## SERVICES EN FRANÇAIS

### FRENCH-LANGUAGE SERVICES

**M. Gilles Bisson (Timmins—Baie James):** Ma question est pour le ministre de la Santé, s'il pouvait prendre l'écouteur.

Monsieur le ministre, vous savez que depuis les dernières années, votre ministère est en train de préparer les communautés pour être capables de s'organiser quand ça vient à la pandémie de la grippe aviaire. Vous savez que les unités sanitaires ont beaucoup de responsabilités pour s'assurer que les municipalités, les agences provinciales, les conseils scolaires et les autres sont organisés pour être capables de répondre à ce qui pourrait être une situation très sérieuse.

Là, on voit que les unités sanitaires n'ont pas eu les documents en français pour que les autres soient capables de travailler avec leurs partenaires dans les communautés. Par exemple, dans ma communauté la Porcupine Health Unit, qui a besoin de travailler avec des conseils scolaires et avec les municipalités qui sont des organisations françaises où eux autres travaillent en français, on ne peut pas avoir du ministère de la Santé l'infor-

mation en français. Ce qui est pire est que les unités sanitaires refusent de faire la traduction, de donner l'information en français pour ces agences. Allez-vous faire quelque chose pour être capable d'assurer que les agences des communautés francophones sont capables d'avoir ces services en français?

1520

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I appreciate the question from the honourable member. I will seek to work with him to determine which documents he's referring to. I do know that, in some cases, the documents that have been prepared by the emergency management unit of the ministry have been translated into 24 languages for broadly spread dissemination amongst a wide variety of populations. I'd need to know better from the honourable member which documents he's specifically referring to that have not so far been translated into French, and to work with him to ensure that all documents are provided to health units that are working alongside our francophone population. So I undertake to work with the honourable member to provide those in a timely way.

**M. Bisson:** Ça adonne bien, monsieur le ministre, parce qu'on a avec nous aujourd'hui Denis Bélanger, le président du Conseil scolaire catholique de district des Grandes Rivières de langue française de notre région. Lui représente l'une des organisations responsables de travailler avec l'unité sanitaire pour assurer que son conseil est capable, s'il y avait une pandémie, de répondre et pour que notre staff sache quoi faire et soit organisé selon les normes provinciales.

On vous demande encore si vous êtes capable de nous rencontrer pour une couple de minutes après la période des questions et on va vous donner ces informations et s'assurer que les unités sanitaires vont donner ces matériaux en français aux organisations qui en ont besoin.

**Hon. Mr. Smitherman:** I appreciate the offer of a meeting today, but it's my estimates day. That's not going to be possible today. I'm happy to ensure that you provide us with that. Obviously, pandemic kits, which we've sent to 15,000 different health care providers in the province, most certainly have been provided in both of Ontario's official languages, as I've mentioned earlier, because we obviously think it's necessary that we equip everyone with the best possible information on how to respond in circumstances that might arise, that we do work to provide those not just in English and French but, indeed, in a broader array of languages. As I mentioned, so far some documents have been translated and made available on our website in 24 different languages, and we're going to continue on that path.

In keeping with that principle, I believe I can tell the honourable member that we will work with him to ensure that all the documents that he's referring to are provided in French in a timely way. We'll make sure that someone is available to meet with the individual to find out which ones to date have not been provided in that fashion. I appreciate it.



## ONTARIO SPCA

**Mrs. Carol Mitchell (Huron–Bruce):** My question is for the Minister of Community Safety and Correctional Services. Ensuring that adequate measures are in place to protect our animals has become an increasingly relevant issue. The OSPCA is the organization that is responsible for enforcement of the OSPCA Act and regulations. In order for this organization to remain an effective and practical body, it is necessary to ensure that proper funding and government support are in place.

Minister, there have been a number of Ontarians who have expressed concerns about the future viability of this organization. How will you help to ensure the effectiveness and the long-term viability of the OSPCA?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member from Huron–Bruce for her question. The OSPCA is an independent charitable organization. They have responsibility for enforcing the provisions under the Ontario Society for the Prevention of Cruelty to Animals Act. We provide them, as other governments have, with \$119,000 a year to train their officers in that particular enforcement.

A year ago last October, they came to me to say that they were having some difficulties because they had a mismatch in their bequests and their charitable organizations and they had financial pressures. They wanted to know whether we could help them out. After much deliberation and discussion, we provided them with \$1.8 million in one-time funding, and we also funded an audit of their organization, done by Grant Thornton LLP. That was a great breakthrough, because the previous government hadn't given them more than a third of that over the last five years.

**Mrs. Mitchell:** Thank you, Minister. The welfare of the animals was certainly not a priority under the previous Tory government, and funding for their protection was limited. It seems that the importance of the OSPCA has become more clearly defined under the current Liberal government due to the amount of funding and support we have provided.

Minister, we have read reports about the OSPCA board members resigning. Can you comment on the governance structure of the OSPCA? How is the government involved, if at all, with the governing of the OSPCA?

**Hon. Mr. Kwinter:** Because the organization is an independent charitable organization, we have no ability to interfere with their internal governance, but what we have done—not only did we provide the funding for their audit; we've also agreed that we will provide funding to the same organization that did the audit, Grant Thornton LLP, to take a look at their governance. One of the issues they have is that the central society has a bunch of affiliates—these are humane societies around the province—and there is a great deal of conflict at times between those various organizations. In order to get this organization on a proper basis, we have to take a look at

the governance. We've agreed to fund and finance that particular study, which is under way as we speak.

## NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Premier: Barricades have been up at the occupied site since February 28, and as of noon today those barricades are still up. Yesterday, you set two clear conditions for renewed talks: Deliver the suspects and take down the barricades. Premier, when will the barricades at Douglas Creek Estates be coming down?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I know that the member knows that what we have been talking about all along was to get the transportation barricades down, because that will bring the community back to normal. In our long-term table, the first item up is to talk about Douglas Creek. That is obviously their first order of business. That is scheduled for Thursday. Those discussions are going to proceed and Douglas Creek will be the first item of issue there.

**Mr. Barrett:** The news release refers to “all barricades.” Minister, nothing has changed in that subdivision next to the occupied site. Nothing has changed since February 28. People are stressed out. Fires, floodlights, noisy ATVs—people fear for their safety. They're concerned about the fights and the bloodshed they witness right in their neighbourhood. I get e-mails. “We no longer feel safe to sit in our backyard. Our children's lives are at risk.” Another one: “Masked men wearing camouflage.”

Minister, the barricades are still up at the occupied site. Your condition for renewed talks has not been met. Again, when will the barricades at Douglas Creek Estates be coming down? Or do we see a flip-flop here where talks will commence anyway on Thursday even though the barricades remain up?

**Hon. Mr. Ramsay:** It was very clear yesterday. The agreement we've been trying to reach with Six Nations community officials has been that we need to return the community to normalcy. That means to have all the transportation corridors freely moving. That means the two highways—6a and 6—and we have that. We have the train officials now on the track making the final inspection for that, so the trains can start to move. We are discussing also the access to the hydro lines. So this is what we're concentrating on right now. We look forward to a resumption of talks on Thursday so that we can address the issue of Douglas Creek Estates.

## LOBBYISTS

**Mr. Michael Prue (Beaches–East York):** A lot of high-ranking Liberal insiders had their ship come in today with your government's announcement to build new nuclear reactors. The first one was Bob Lopinski.



Bob Lopinski, you will remember, was Dalton McGuinty's former director of issues management and legislative affairs. He took a job with Hill and Knowlton, lobbying on behalf of Bruce Power. The second one in 2005 was lured away by Atomic Energy of Canada Ltd. They hired David MacNaughton, who was your former principal secretary and number 2 in command at the Premier's office until he went to Atomic Energy of Canada. My question is very simple: Will you join with us in calling for Liberal nuclear lobbyists to come forward with their billable hours, amount and level of contact with your government?

1530

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** My understanding is that there's a lobbyist registration process in Ontario. Former staff members—I know that some of them are partners with people like Robyn Sears and Leslie Noble. That process, as I understand, has been seen. Also, my understanding is that when government staffers leave the employ of ministers or the public service, they have to go through certain processes as well. I believe those processes are fulsome and were voted on by this Legislature and agreed to by all parties concerned.

**The Speaker (Hon. Michael A. Brown):** I'd just remind members that it's much easier—and as a matter of fact, it's the rule—to identify who it is we're asking a question to at the top. Thank you.

## PETITIONS

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. John O'Toole (Durham):** It's my pleasure to present a petition on behalf of constituents in the riding of Durham, and it reads as follows:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain"—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. Stop the clock.

Member for Durham, we've just stopped the clock. We need to get a little quiet in here so I can hear you.

The member for Durham is trying to present a petition. I'm listening carefully and I'm having difficulty hearing him. Perhaps we could take the conversations outside.

Member for Durham.

**Mr. O'Toole:** Thank you very much, Mr. Speaker, for that indulgence. I'll start again.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers;

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm pleased to support this on behalf of my constituents in the riding of Durham and present it to Juliet.

## CHILD CUSTODY

**Mr. Kim Craiton (Niagara Falls):** My petition is to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the people of the province of Ontario deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and their grandparents; and

"Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relationships between the children and their grandparents; and

"Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

"Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and their grandparent as is consistent with the best interests of the child.

"Subsection 24(2.2) requires that a court that is considering custody of a child to take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child."

Whereas we support Bill 8 as introduced by MPP Kim Craiton;

"We, the undersigned, petition the Legislative Assembly of Ontario to amend the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents."

I'm pleased to support this petition and sign my signature to it.

## EDUCATION FUNDING

**Ms. Lisa MacLeod (Nepean–Carleton):** I'm here to present a petition today to the Ontario Legislature from the Yitzhak Rabin High School in my community.

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination"—

### *Interjections.*

**Ms. MacLeod:** I can't believe they're heckling a high school in my riding—unbelievable.

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only Western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

Since the young students of Yitzhak Rabin High School took the time to do this, I'd like to affix my signature and present it to page Daniel.

## LONG-TERM CARE

**Mr. John Wilkinson (Perth–Middlesex):** On behalf of my minister, the Honourable Laurel Broten, I have a

petition from her riding from the Labdara Lithuanian Nursing Home calling for an increase in long-term care.

## CANCER TREATMENT

**Mr. John Wilkinson (Perth–Middlesex):** From my own riding, I have a petition in regard to increases in money for funding for section 8 drugs.

I give those to page Anni.

## ONTARIO SPCA

**Mr. Garfield Dunlop (Simcoe North):** This follows up just wonderfully on the question presented to the minister earlier today.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario SPCA, Lennox and Addington branch, is being forced due to budget constraints to close its doors; and

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, to our community include animal cruelty investigations; 24-hour emergency rescue of injured animals; acceptance of abandoned animals; acceptance of owned animals where people can no longer care for their pets; adoption of animals; family violence assistance program, allowing women entering a shelter to temporarily house their pets with the Ontario SPCA; humane education to local schools and community groups; and

"Whereas none of these services are provided by any other agency in the county and the municipal dog pound is small and not able to take cats or other small animals; and

"Whereas investigation services will fall to the Ontario Provincial Police and they do not have the resources or training to fulfill this role and they are already over-worked; and

"Whereas the Northumberland and Quinte humane societies are already facing financial challenges and will not be able to accept the additional animals;

"Be it resolved that the Legislative Assembly of Ontario act now to help prevent the closure of this facility and others across Ontario by ensuring that the Ministry of Community Safety and Correctional Services immediately implements the recommendations made in the February 2005 report of Grant Thornton, which called for interim funding to facilitate the operations of the Ontario SPCA until a long-term strategy is developed for animal welfare in Ontario."

As part of tens of thousands of signatures, I'd like to add my name to this as well.

## CREDIT UNIONS AND CAISSES POPULAIRES

**Mr. Dave Levac (Brant):** "To the Legislative Assembly of Ontario:

"Whereas there is an urgent need to amend the Credit Union and Caisses Populaires Act, 1994; and



"Whereas the 2004 budget acknowledged that Ontario's laws need to ensure an environment that enables credit unions to take advantage of strategies to strengthen their national presence and to take account of changes made by other jurisdictions; and

"Whereas the government committed in the 2004 budget to review the Credit Unions and Caisses Populaires Act, 1994, with an intent to introduce amendments to this act and others as necessary by the end of fiscal 2005-06 or earlier, if needed; and

"Whereas Ontario's credit union and caisses populaires system provides essential financial services and advice to approximately 1.6 million people in the province and operate in about 40 communities where they are the only financial institution; and

"Whereas insurance professionals are competing directly with credit unions and caisses populaires on wealth management and personal loans;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario immediately fulfill its budget commitment and amend the Credit Union and Caisses Populaires Act, 1994, to provide credit unions with:

(a) "A level playing field with other Canadian jurisdictions, such as British Columbia and Quebec, by allowing Ontario credit unions to enter into the business of selling insurance;

(b) "A level playing field with federally regulated financial institutions to allow credit unions and caisses populaires to own part or all of an insurance brokerage as a subsidiary;

(c) "A level playing field with the insurance industry by allowing fully licensed and accredited insurance retail professionals who are separate and distinct from other credit union staff to retail insurance on behalf of a credit union;" and

(d) "An amended act that provides the necessary flexibility and provides the credit union and caisses populaires system with the necessary tools to compete in the constantly changing financial services marketplace."

I do so without editorial and hand it to Hartford, and these are from my constituency.

1540

#### ONTARIO SPCA

**Mrs. Christine Elliott (Whitby-Ajax):** A petition to the Legislative Assembly of Ontario:

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, is being forced due to budget constraints to close its doors; and

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, to our community include animal cruelty investigations; 24-hour emergency rescue of injured animals; acceptance of abandoned animals; acceptance of owned animals, where people can no longer care for their pets; adoption of animals; family violence assistance program, allowing women entering a

shelter to temporarily house their pets with the Ontario SPCA; humane education to local schools and community groups; and

"Whereas none of these services are provided by any other agency in the county and the municipal dog pound is small and not able to accept cats or other small animals; and

"Whereas investigation services will fall to the Ontario Provincial Police and they do not have the resources or training to fulfill this role and they are already overworked; and

"Whereas the Northumberland and Quinte humane societies are also facing financial challenges and will not be able to accept the additional animals;

"Be it resolved that the Legislative Assembly of Ontario act now to help prevent the closure of this facility and others across Ontario by ensuring that the Ministry of Community Safety and Correctional Services immediately implement the recommendations made in the February 2005 report of Grant Thornton, which called for interim funding to facilitate the operations of the Ontario SPCA until a long-term strategy is developed for animal welfare in Ontario."

I'm pleased to affix my signature in support of this petition.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the McGuinty government is committed to establishing measures that will ensure a fair and inclusive Ontario for newcomers; and

"Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, transparent and clear; and

"Whereas these measures will include the establishment of a fairness commissioner, and an access centre for internationally trained individuals; and

"Whereas through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals, but also to the Ontario economy as a whole;

"We, the undersigned, respectfully petition the Legislature of Ontario as follows:

"That all members of the House support the Fair Access to Regulated Professions Act, 2006, and work to ensure its prompt passage in the Ontario Legislature."

A very worthwhile petition. I fully support it and I affix my signature, and I'll ask page Nolan to carry it for me.

#### CAFETERIA FOOD GUIDELINES

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a petition from the students and teachers of Bracebridge

and Muskoka Lakes Secondary School in support of a private member's bill proposed by Nupur Dogra. It reads,

"To the Legislative Assembly of Ontario:

"Whereas childhood obesity rates have tripled over the past two decades in Canada; and

"Whereas the annual amount of money the health care system uses to mend preventable obesity-related illnesses is \$1.6 billion; and

"Whereas the Ontario food premises regulation only provides safety policies that must be followed by the Ontario school boards' cafeterias, but no defined regulations regarding the nutrition standard of the food being served at the cafeterias; and

"Whereas there is a need to encourage nutritious standards in high school cafeterias that support Canada's Guidelines for Healthy Eating; and

"Whereas the private member's bill proposed by Nupur Dogra under Making the Grade and her fellow students at Iroquois Ridge High School will require all Ontario school boards' cafeterias to adopt and abide [by] healthier eating standards (similar to Canada's Guidelines for Healthy Eating) that will govern the food choices;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the private member's bill that will amend the Ontario school boards' cafeteria food guidelines to follow healthier food standards in all Ontario high school cafeterias."

I support this petition.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Tony Ruprecht (Davenport):** It has to do with internationally trained professionals. It's addressed to the Parliament of Ontario. It reads as follows:

"Whereas the Ontario government recognizes the need to match internationally trained persons with professional work experience in their related fields; and

"Whereas the Ontario government is dedicated to making sure new Ontarians achieve long-term success in developing and sustaining their career goals; and

"Whereas the creation of 24 new bridge programs, bringing the total amount to 60 over the next three years, will help to make these goals a reality; and

"Whereas this funding of \$14 million over the next three years will assist more than 3,000 internationally trained" professionals "to increase their language skills, training and exam preparation;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That" the government of Ontario "support the new funding for further bridge training programs in order to create a more inclusive and successful environment for newcomers to the province."

Since I agree with this petition, I am delighted to sign it.

#### ORDERS OF THE DAY

##### MANDATORY BLOOD TESTING ACT, 2006

##### LOI DE 2006 SUR LE DÉPISTAGE OBLIGATOIRE PAR TEST SANGUIN

Mr. Kwinter moved second reading of the following bill:

Bill 28, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act / Projet de loi 28, Loi exigeant le prélèvement et l'analyse d'échantillons de sang afin de protéger les victimes d'actes criminels, le personnel des services d'urgence, les bons samaritains et d'autres personnes et apportant des modifications corrélatives à la Loi de 1996 sur le consentement aux soins de santé et à la Loi sur la protection et la promotion de la santé.

**The Acting Speaker (Mr. Ted Arnott):** I will turn to the minister for his leadoff speech.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** Last November, I introduced Bill 28, the Mandatory Blood Testing Act. I am pleased to have the opportunity to speak to this Legislation—

**Mr. Peter Kormos (Niagara Centre):** We're going to do a quorum call.

*Interjections.*

**The Acting Speaker:** The minister has the floor. I would ask all members of the House to listen to his presentation.

*Interjection.*

**Hon. Mr. Kwinter:** I am pleased to have the opportunity to speak to this legislation again on second reading. I'll be sharing my time today with my parliamentary assistant for community safety, the member from Scarborough—Rouge River.

Bill 28 is about securing the health and safety and the peace of mind of those we rely on for our own protection. The McGuinty government is committed to safeguarding community safety personnel by ensuring they are protected while they protect the citizens of Ontario. Every effort must be made to support those who protect us as they go about their challenging tasks in communities all across Ontario.

The McGuinty government is on the side of families concerned about crime and safety. That concern is particularly pressing for the families of those whose job it is to provide our protection, for those who simply act as good Samaritans and for those who are victims of crime.

Every day across Ontario, thousands of men and women in a variety of occupations—police, paramedics, firefighters, for example—work to keep our communities safe. In the process, they face the risk of infection with



specific diseases—HIV/AIDS, hepatitis B or hepatitis C—through contact with members of the public.

Bill 28, the Mandatory Blood Testing Act, would help make Ontarians safer and provide greater peace of mind for those who may be exposed to the risk of infection through their work. This proposed legislation would give exposed individuals and their doctors more timely information to help them decide on the best way to reduce the risk of illness. If passed, this bill will help to protect our community safety workers as they put themselves at risk to help the people of Ontario. This bill would also apply to victims of crime.

1550

The current provisions for mandatory blood sampling date from 2003, when a private member's bill, Bill 105, came into effect. It amended the Health Protection and Promotion Act to help victims of crime and first-aid responders who may have been exposed to HIV/AIDS or hepatitis B or hepatitis C. Ontario was the first province to adopt such legislation.

Several other provinces have since introduced similar legislation. Nova Scotia's legislation, though not yet proclaimed, received royal assent on October 18, 2004. Saskatchewan proclaimed its legislation on October 17, 2005, and in Alberta, the legislation received royal assent on May 24, 2006.

So the need to create a mechanism for the mandatory testing of blood in the specific circumstances contemplated by this proposed legislation is now well established in Ontario as well as in other jurisdictions. It's an important community safety issue, and I'm sure all members of the House will appreciate it.

The issue, then, is how best to ensure that we respond to the need to reassure emergency workers and victims of crime about their risk of infection in a timely and efficient way while protecting the privacy of respondents. Bill 105 amended the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and others. The amendment, section 22.1 of the Health Protection and Promotion Act, allows the local medical officer of health to order a blood sample from someone who accidentally or deliberately exposes a front-line emergency services worker or a victim of crime to his or her bodily substances. The blood sample would be tested for HIV/AIDS and hepatitis B and hepatitis C. The Mandatory Blood Testing Act, 2006, would, if passed, replace section 22.1 of the Health Protection and Promotion Act with new community safety legislation for mandatory blood sampling.

The government views this proposed legislation as an important community safety issue. The mental stress and lifestyle changes experienced by a person who may have been exposed to infection while protecting us, or as a victim of crime, should not be underestimated. That person is often placed in a cruel limbo caused by the uncertainty of not knowing whether they have or may become infected. That limbo often means submitting to a

potent precautionary regimen with serious side effects to reduce the risk and severity of infection.

Mandatory blood testing is a means to reduce this anxiety and provide a measure of certainty and peace of mind for emergency service personnel and for victims of crime. It is no wonder, then, that the legislation has had the benefit of extensive input from stakeholders most likely to be affected by its provisions. Essentially, the existing legislative provisions prescribe that if a person who is the source of a possible infection does not voluntarily provide a blood sample, a medical officer of health can order the required sampling and testing.

After two years of experience with that legislation, we have heard from our partners about the challenges faced by those involved in the process. We've heard the concerns of the medical community, the policing community and the public safety community about the ways in which the existing legislation can remain more responsive to the needs of the stakeholders.

Medical officers of health have expressed serious reservations about having the responsibility to order persons to provide blood samples. They believe that this adjudicative function is inconsistent with their role as physicians. They believe that it would be better to move responsibility for ordering a person to provide a blood sample from the health system to an independent body.

We have responded. Decisions on whether to grant an application for mandatory blood sampling would, if the proposed legislation were passed, be made by the Consent and Capacity Board. Medical officers of health would continue to be responsible for screening applications, seeking voluntary samples and supervising the process after an order is issued, but they would be removed from the responsibility to act as adjudicators for the applications.

Stakeholders in the policing community have also presented their reaction to the existing legislation. They are concerned at the length of time it takes at present to complete the process of mandatory blood testing. The police also want to see the categories of persons who can apply for mandatory blood samples broadened to specifically include police officers and persons in certain high-risk occupations and environments. We've heard the concerns of the policing community that the process be simplified, that timelines be shortened, and that police be specifically designated in the eligibility criteria. The legislation I'm proposing would authorize the Minister of Community Safety and Correctional Services to make regulations specifying eligible occupations.

We've also heard from community safety workers that they want, among other things, faster resolution of applications. If passed, the Mandatory Blood Testing Act would streamline the process and achieve faster decisions. The period for voluntary compliance would be reduced from seven days to two days. The current process has taken up to 69 days to complete. Should the proposed legislation be passed, this process will be reduced considerably. This means significant reductions in the time for processing these applications and a significant reduc-



tion in anxiety for our public safety workers. By streamlining the process for applications, as proposed in this bill, we would ensure applications are dealt with in an efficient, effective and timely manner for all concerned.

We are also keenly aware of the privacy issues for those responding to an order for a blood sample. To that end, the Mandatory Blood Testing Act, if passed, would restrict the use of any blood samples taken to the purposes set out in the legislation and its regulations. It would be an offence to use the samples for any other purpose. This proposed approach resolves many of the issues that concern our community safety workers, while at the same time respecting the interests of the applicant, respondent and health care workers.

The proposed Mandatory Blood Testing Act captures the intent and the spirit of the original legislation and seeks to respond to the concerns raised by our partners in community safety.

I'd like to take this opportunity to commend those individuals and groups—the Police Association of Ontario, the medical community, and the Information and Privacy Commissioner, among others—who have made us aware of their concerns and have made suggestions for improvement. Their input has been valuable in helping us craft this bill, and I'm pleased to recognize these efforts. This bill is the outcome of the productive working relationship between the McGuinty government and many stakeholders. It addresses the need of our emergency services personnel and victims of crime to find out quickly whether they risk infection from a blood-borne virus. At the same time, by strictly controlling the way in which blood samples can be used and handled, it would, if passed, provide protection for the privacy of the individuals' medical information.

This bill reflects our government's plan to strengthen our province by strengthening our most important competitive advantage: our people. If passed, the Mandatory Blood Testing Act, 2006, would resolve many of the issues that concern our community safety workers and give them the peace of mind to go about their work with greater confidence, and that means greater safety and security for all Ontarians.

**Mr. Bas Balkissoon (Scarborough–Rouge River):** I'm pleased to speak in support of Bill 28, the Mandatory Blood Testing Act, 2006. If passed, the bill will repeal the existing provisions on mandatory blood sampling in section 22.1 of the Health Protection and Promotion Act and replace them with stand-alone legislation that better meets the needs of our emergency workers.

I want to emphasize that the aims and objectives of Bill 28 are exactly the same as those of the legislation it proposes to replace. It differs from the existing legislation only in relation to the processes employed to achieve the same results. These process improvements arise out of the government's consideration of the reasonable concerns and recommendations of the stakeholders most affected by or involved with the application of the provisions of the bill.

They also reflect this government's concern for victims of crime and our support for our police partners

and other community safety workers. Their safety is a priority for us.

**1600**

The current legislation provides that a local medical officer of health may issue an order for a blood sample upon application by an individual who has come into contact with the bodily substance of another individual as a result of being a victim of a crime, or while providing emergency services or first aid, or while performing a function set out in regulation. The blood sample would be tested for HIV/AIDS and/or hepatitis B or hepatitis C.

The current process has taken anywhere from five days to 69 days, depending on a variety of factors. During this period, affected persons would undergo the stress of not knowing whether they had been infected with a serious disease and in many cases may be advised to undergo precautionary treatment, with its attendant side effects. In addition, personal lifestyle changes might be advisable until the results are known.

The present legislation came into effect in September 2003, before the McGuinty government took office. Since then, we've heard from the stakeholders about their concerns and their recommendations for improving the process. Police and emergency personnel have expressed concerns about lengthy delays in the application and hearing process. They are also concerned that the breadth of the circumstances in which they may come into contact with bodily substances is not captured by the wording of the current legislation, which refers to "victim of crime" or "emergency health care." The policing community felt that exposure from an accident or during the lawful performance of their duties may not be adequately dealt with. They urged that police officers be specifically designated in the legislation.

Medical officers of health have told us that they are uncomfortable with their quasi-judicial role as adjudicators under the existing scheme, a role, they contend, that is inconsistent with their role as physicians. Many stakeholders expressed the need to move responsibility for obtaining an order from the health system to an independent body.

Bill 28 aims to address these stakeholder concerns. It streamlines the process to achieve quicker resolution of applications. It ensures that applications are dealt with in an efficient, effective and timely manner for all concerned. It balances the interest of the applicant, respondent and those involved in administering the process by transferring the responsibility for deciding on applications from the medical officers of health to the Consent and Capacity Board.

The proposed changes include time frames that would shorten the process from application to order. In particular, the period of voluntary compliance would be shortened to two days from the current seven days, and shorter time frames for the hearing process would be set out in the legislation.

If passed, Bill 28 would provide that a person who came into contact with a bodily substance of another person while providing emergency first aid, as a victim



of crime or in other prescribed circumstances may apply to a medical officer of health to have the blood of the other person analyzed for HIV/AIDS and/or hepatitis B or hepatitis C. If, within two days, the medical officer of health fails to get the other person to voluntarily provide a blood sample, the medical officer of health would refer the application to the Consent and Capacity Board. The Consent and Capacity Board would be required to hold and conclude a hearing into the application within seven days after the application is referred to it, and it would be empowered to order the person to provide a blood sample for analysis. The board would have to give its decision one day after concluding a hearing.

Bill 28 proposes that the Consent and Capacity Board have responsibility for determining applications for mandatory blood samples. The board is an independent provincial tribunal that has been in existence since 1968. Its mission is to ensure the fair and accessible adjudication of consent and capacity issues, balancing the rights of vulnerable individuals with public safety. The board's key areas of activity are the adjudication of matters of capacity, consent, civil committal and substitute decision-making. It conducts hearings under the Mental Health Act, the Personal Health Information Protection Act and the Substitute Decisions Act. The board has a strong education and outreach program designed to bring about shorter, more focused hearings. It is accustomed to dealing with hearings with a short turn-around time.

If passed, Bill 28 would also respond to the concerns raised by police and others about the uncertainty in the present legislation as to the circumstances that could permit an application for a mandatory blood sample. In addition to the current classes of victims of crime and persons providing emergency health care services or emergency first aid, the bill would make eligible to apply a person who "came into contact with a bodily substance of the other person...."

"In the course of his or her duties, if the person belongs to a prescribed class," and/or

"While being involved in a prescribed circumstance or while carrying out a prescribed activity."

Under the proposed bill, the Minister of Community Safety and Correctional Services would be authorized to make regulations defined in the prescribed classes and the circumstances and activities that could give rise to an application for an order. By having a provision to spell out these definitions and regulations, the legislation would retain the flexibility to respond to changing situations. Through a process of consultation and consensus-building with stakeholders and the public, we can ensure that the regulations remain up to date, practical and practicable while respecting the objectives of the proposed legislation.

In closing, let me summarize the benefits of this proposed legislation. The Mandatory Blood Testing Act, if passed, would speed up the application and hearing process for obtaining a blood sample. It would also transfer the power to make an order from a medical officer of health to the Consent and Capacity Board. If passed, the

bill would protect our community safety workers and provide the peace of mind to allow them to do their work with greater confidence as they put themselves at risk to help the people of Ontario. We have to do all we can to support those who protect us as they go about their challenging task in communities across Ontario. If passed, Bill 28 would be an important step in achieving that objective. I thank you very much.

**The Acting Speaker:** Questions and comments?

**Ms. Lisa MacLeod (Nepean–Carleton):** I am very proud to stand here today as a Progressive Conservative MPP to support the quick passage of this legislation. Obviously, on this side we're very proud of one Garfield Dunlop, the MPP for Simcoe North. I applaud him for introducing this as a private member during the previous Progressive Conservative government. This is a man who obviously has been a strident defender of the policing community. On this side, we believe the police, first aid responders and victims of crime deserve certainty as soon as possible when they are exposed to potential blood infections. When my colleagues from the Progressive Conservative Party initiated Bill 105, the Health Protection and Promotion Amendment Act, 2001, he really recognized the need. So we support streamlining this bill and this piece of legislation through Bill 28.

We understand that the Police Association of Ontario has actively advocated for streamlining the process so that public safety workers have less time to wait for results. We understand that other public safety workers are also supportive.

We are supportive of enabling police officers and other public safety workers and victims of crime to find out more quickly if they have been exposed to infection from blood-borne viruses such as HIV/AIDS, hepatitis B or Hepatitis C. This is a compassion issue. This is an issue where we have good people, good Samaritans, people who are willing to put their lives on the line. They deserve our support in making sure that their lives can be much easier through the passage of this piece of legislation. But before I close, again, I want to commend my colleague, a good man, a man who believes in our policing community, Garfield Dunlop, the MPP for Simcoe North.

**Mr. Michael Prue (Beaches–East York):** I rise to comment on the statements made by the Minister of Community Safety and the member from Scarborough–Rouge River. This is a bill which is simple, yet it is also a bill that is very necessary. In this province, we have very long and extensive rules and regulations and laws relating to public health and safety, so that if someone goes into an office building they know they cannot be put into a workplace where injury may occur. They need not work around chemical fumes, carcinogens, radioactive material, toxins or neuro-toxins. They need not work in ergonomically unsafe places. They need not do repetitive movements of their hands or feet that cause repetitive strain injury.

1610

All of those are protected and well known in law. The people who have not been protected to quite the same



extent are the people employed in the public sector who deal with ordinary citizens. We all know that from time to time some of those ordinary citizens will do violence. Some of them may bite or scratch, and some of them may have bloody wounds that need to be cleaned up. What this does is protect our public employees in the same way as we protect all of our other employees. It gives them certain rights to make sure that they are safe from those diseases which we now know are transferred not only from blood but from other body fluids, or if they feel they may be contaminated, to get the earliest possible medical procedures.

I don't see anything wrong with the bill. I'm hoping that it does get quick passage and that we can protect our public employees, particularly our firefighters, police and ambulance workers who are on the front lines and are most likely to need the provisions of this bill.

**Mr. Khalil Ramal (London-Fanshawe):** It's a privilege and honour to stand up and speak in support of Bill 28. Before I start, I want to commend the minister and his parliamentary assistant for explaining the importance of the bill and why, if this bill is passed, it's going to help many Ontarians, especially in the medical, policing and paramedic fields, and many different elements of our communities.

I was listening to the member from Beaches-East York, and I support him and want to echo what he said. In many different elements in our society, if you work in certain locations, you are protected under a safety act. If you work in construction, you have to wear certain boots and you have to behave in a certain way. If you drive a car you have to put on your seat belt, and if you drive a motorcycle you have to wear a leather belt. There are many different issues. All employees across Ontario are protected to a certain degree, but the people who work in the medical field as nurses, doctors, health care providers or police have no protection, especially when they are always in contact with a lot of injured people. Those injured people may carry some kind of transferable disease, but we have no mechanism to enforce it. I think passing this bill will create another element of safety for the people who serve this province and our communities very well.

I also support transferring authority from the medical officer to the capacity board, because the board has more ability to enforce and to test the people. Also, the bill is important because it protects the safety and privacy of the test, which means the test can apply only to certain issues and certain elements and is not going to be applied again.

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to add my comments to those of the Minister of Community Safety and the member from Scarborough-Rouge River, who were talking to Bill 28, which is the Mandatory Blood Testing Act, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act.

We in the PC caucus support this bill. As was pointed out earlier by one of the comments, this bill originated in 2001 when Garfield Dunlop, the member for Simcoe North, brought in a private member's bill, Bill 105. This bill will streamline the process by which blood samples can be taken so that instead of taking up to 70 days to complete and analyze blood samples, that process will be sped up to protect our firefighters, our police, our emergency workers, good Samaritans and victims of crime.

I would say that the member from Simcoe North is an ardent supporter of the police in this province. It is always his first priority, and on many occasions he's always thinking about what he can do to improve the safety of police and to further support police. I know he'll be speaking next. He has the leadoff on this bill. I know he has concerns with the situation in Caledonia that we're hearing a lot about here in the Legislature these days and the position that the Ontario Provincial Police have been in since this standoff has been going on now, some 105 days, since February 28, when it started. We'll be hearing more from the member from Simcoe North in the next hour.

**The Acting Speaker:** That concludes the time available for questions and comments. I'm return to the member for Scarborough-Rouge River, who has two minutes to reply.

**Mr. Balkissoon:** I would like to thank the member from Nepean-Carleton, the member from Beaches-East York, the member from London-Fanshawe and the member from Parry Sound-Muskoka for their comments on the bill. As was previously said, the existing legislation was as a result of a private member's bill from the member from Simcoe North. That bill was adopted in 2003. The government has had the opportunity of two years of this bill being enacted. Having the experience of the previous two years, the government has been very progressive in responding to the stakeholders.

The police have told us clearly that we need to identify the police as one of the interest groups in this particular piece of legislation. They have told us clearly that it takes too long. We've reacted to that by reducing the period from seven days to two days for the sampling. Sometimes the process can currently take up to 69 days. We're improving that. The medical officers of health have complained that they do not wish to be the adjudicator on getting blood samples. We've made changes in this particular legislation and we've moved that process to the Consent and Capacity Board to be able to issue those orders. So we are responding to the stakeholders and we're actually improving the process.

I'm glad to hear that the members from the opposition party and the third party will be supporting the bill, because really, we are responding to our emergency workers' concerns. We would like to make sure that our emergency workers are safe. They do provide a job for us out there in protecting our community, and this piece of legislation just makes their lives a whole lot better. I think it puts their families at ease that the government is responding to the work that they do on our behalf.



**The Acting Speaker:** Further debate?

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased to be able to rise today and take our leadoff on Bill 28, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act.

I'd also like to put on the record right now, if I may, the explanatory note. I believe it has been partially done by the minister and the parliamentary assistant. But I would like to mention that, under the explanatory note of the bill, "The bill repeals and replaces section 22.1 of the Health Protection and Promotion Act.

"Under the Health Protection and Promotion Act, a person who came into contact with a bodily substance of another person in certain situations set out in or prescribed under the act may apply to a medical officer of health to have the blood of the other person analysed for viruses that cause certain communicable diseases. Under the current regulations under the act, the medical officer of health may take seven days attempting to get a blood sample or other evidence of seropositivity voluntarily from the person. If the medical officer of health fails to obtain a blood sample voluntarily, he or she may order that person to provide a blood sample for analysis, with or without first holding a hearing, and without notice to the person who will be subject to the order. The medical officer of health's decision may be appealed to the Chief Medical Officer of Health or the Health Services Appeal and Review Board.

1620

"The bill shortens the length of time the process takes from application to order and it transfers the power to make an order from a medical officer of health to the Consent and Capacity Board. Under the bill, a person will still apply to a medical officer of health to have the blood of another person analysed for viruses, as in the current Health Protection and Promotion Act. The medical officer of health is empowered to request a blood sample for analysis or other evidence of seropositivity. If the person is requested to provide a blood sample or other evidence and does not provide it voluntarily within two days after the request is made, the medical officer of health must refer the application to the Consent and Capacity Board.

"The Consent and Capacity Board is required to hold and conclude a hearing into the application within seven days after the application is referred to it and is empowered to order the person to provide a blood sample for analysis. The board must give its decision within one day after concluding a hearing. There is no appeal from the board's decision."

First of all, I want to say to the minister and the government that I thank them for basically updating a bill or repairing a bill that possibly had some flaws in it. I thank the members, including the minister and any of the folks here today, who mentioned the fact that this bill came

from Bill 105, a private member's bill that I was very fortunate to have passed in this House in 2001. I think at that time the vote was 82 to 2, so we basically had all-party support. A couple of people had a few objections to it at that time.

I wanted to give people in the House a little bit of an update of what happened, how we got to the bill in the first place and how we're following through even today to try to improve on it.

Obviously, every year the government or the Legislative Assembly, the members of provincial Parliament, are all lobbied on an ongoing basis on different issues that affect stakeholder groups within the province. Groups like the Police Association of Ontario and the Ontario Professional Fire Fighters Association, those organizations, had sensed a real problem with their members who had come into contact with people at the scene of an accident or at the scene of a crime. Quite often, what had happened was that when these incidents occurred, whether it was through an attack or by accident, the officers who were affected often didn't know whether or not they may have come into contact with some type of a communicable disease.

This goes back a long time with professional firefighters. I can tell you that in my early days on council, I can remember that the volunteer fire department was getting more and more calls out to people who had heart attacks and first aid response types of calls. They were no longer fighting fires, but were involved in many types of accidents that involved health care. Our firefighters were doing mouth-to-mouth resuscitation and all these sorts of things, and then they started saying, "Maybe there are problems here. Maybe people have diseases and that sort of thing. We certainly don't want any of our firemen to come into contact with anybody like that."

That's sort of when I first heard about this, and in my career in municipal politics it got to be that the government of the day and the municipalities put more and more laws into effect. They provided firemen and police officers with more and better equipment, but nonetheless the problem was still there: People did not know and had no way of finding out whether the people they had come into contact with may or may not have had any type of communicable disease.

So we drafted the bill in 2001, and actually did what I would consider to be a fairly comprehensive tour during the summer of 2001 to find out from all these different stakeholder groups just what types of problems they were encountering. We had some meetings here at Queen's Park, we visited the firemen and police officers over in Niagara region, we were down to London, we were in Windsor, we were in Sudbury and we were in Ottawa. We did what I would say was fairly comprehensive dealing with a lot of professional firemen as well as a number of police officers.

On top of that, we also had a number of cases of people who came forward who had concerns, either as victims of crime or as good Samaritans. You've heard of this a number of times in car accidents, where someone



will have a very severe accident and the car is basically covered in blood, and someone goes in to try to save someone's life. That's the thing we do as Canadians and as human beings; we try to help people out. But sometimes people who are being good Samaritans come into contact with the blood or other bodily fluids of someone else. It's a case where they just don't know what could go wrong, and they want to make sure they are okay. We had a number of people like that who put the flag up and said, "This happened to me, and I was safe" or "I wasn't safe." They did come forward and say this was an issue, so we had that to deal with as well.

I can tell you some incredible examples I've seen—things that I hadn't even heard about. Again, a lot of them involved firemen. I'll give you a couple of examples. At one of the hearings, a gentleman came forward who, when searching for a key to get into a house—apparently there was an emergency in the house and they didn't want to break the door down. People had put needles above the doorway or under a vanity. What happened was that people would run their finger into a needle and start bleeding, and they didn't know where the needle had come from; they had been planted there deliberately. In some cases, these were crack houses with people selling drugs and that type of thing. The firemen would come home—in a number of cases, it was firemen or a police officer—and they'd say, "I've just been pricked with this needle and it actually caused me to bleed. What's on that needle? Who used that needle?" Those were the types of cases we heard.

We heard of police officers going to the scene of a crime and someone attacking them. In one case, a young female police officer out in Peel region was following a stolen car back to the car dealership when she got an emergency call to go to a house. She was alone, went to the house and was attacked by someone. The lady she was attacked by was a known long-time prostitute in the area. She bit the police officer through the clothing a number of times and drew blood. This young female police officer did not know whether the person she had come in contact with had any diseases.

When we had these types of people at our round table discussions or pre-introduction hearings on Bill 105, they were in tears because—and right to this day, in some cases—they didn't know whether they had picked up any kind of disease. So we made sure that the bill applied to emergency service workers—as the minister has with Bill 28—good Samaritans and other persons. The idea, of course, was to try to find out as quickly as possible what type of diseases the people they came into contact with actually had. That's why the blood sample was the best chance of finding out.

We had some trouble with the bill at times, in that some people were concerned about civil liberties, because you're actually asking to take blood from another human being. That was one of the causes. But there was no question that when we were looking at people across our country, across our province, who were trying to protect our families, trying to save lives, trying to protect

our province—police, firemen, emergency service workers and even good Samaritans—they had a really good cause.

**1630**

Even since Bill 105 was passed, I've had people come forward to me—paramedics. I can tell you, a lot of people underestimate paramedics. They think paramedics only pick up people who are severely injured, load them in the ambulance and try to save their lives while they get to the hospital. In many cases, though—and I've talked to a number of paramedics about this—they come into contact with people who become violent, who claw away at them, who punch and kick and bite. Quite often, paramedics are under the same difficult situations that police and firemen are under when coming into contact with people like that.

So you can see why there was a need for the bill, why the emergency service workers came forward as the key people, the key stakeholders actually, promoting some type of legislation.

What we found, though, after we passed the bill, was that the implementation period, the regulations, were very slow. It almost appeared like some people at the Ministry of Health and Long-Term Care did not want the bill to pass, did not want the bill implemented, did not want the bill to actually proceed and be effective. We started receiving a number of complaints from people who had tried to find out about the regulations, who tried to work with some of the folks at the ministry, and it appeared that it wasn't going to be a success. That was very unfortunate, because the one thing we wanted more than anything in this piece of legislation was for the bill to be effective as quickly as possible. So when the bill eventually was passed and proclaimed in 2003—I think it was September 2003—we started finding out very quickly from the stakeholders that there was a time delay problem with the bill and that it would need more work.

The problem and the challenge we have now is moving it over to the Consent and Capacity Board, and how effective it will be. The one thing we want to make sure of is that the bill is very effective. Timing is of the essence.

Put yourself in the place of some of these people who have come into contact with people with a communicable disease and they have to go home to their own families, cases where they couldn't have relations with their spouse, where they couldn't hug their kids, where they were afraid what cups and saucers to use, to make sure they kept themselves completely isolated. In a lot of cases, the people who felt they might have been infected were almost dead within their own home, because they couldn't have any type of a family life and were concerned even with their colleagues at work. Some of the people told me on the tour we had that it was just a terrible feeling, waiting to find out whether or not someone actually had a disease.

It could happen to any one of us at any given time. We could go out today on the side of that road and have an accident, or come across an accident and try to save



somebody. You can't let someone die. You might be the person on the scene who would stop and allow them to continue to live. You want to do whatever you can as a human being to help someone else out. So as a good Samaritan or as an emergency service worker, the challenge is there for all of us to know that if anything like that does happen, there's legislation there to try to protect us so that we can get the appropriate medical treatment as quickly as possible; not waiting 70 days, not waiting 150 days. Even two or three days can be very sensitive in a lot of areas for families and for people who have to go through that.

When the minister brings forth this legislation, I applaud the government. I know that the Police Association of Ontario lobbied for the last year or so for this. I was very pleased even this spring, when I went to their lobby day, and the police association thanked me for bringing forth the bill and mentioned that the minister would bring in new legislation that would improve the bill even more.

I hope it works. That's the question mark here. We can pass this legislation, and I do know that there are amendments to be made to the bill, that there are still amendments that some people would like to see made to the legislation. That's why I believe the government has agreed to do some committee hearings, to hear some of those comments back. I hope that happens, possibly over the summer or in the fall, whenever we get back to getting the amendments put together. But I can tell you that after that, speedy passage and implementation are of the essence, as far as I'm concerned, because we need to be able to protect our people who put their lives on the line.

I could give a number of examples on this of people who had come into contact with people who may or may not have had some of these diseases. But they're basically all the same as you go through the list: It's people, whether they're paramedics, whether they're correctional service workers, whether they're firemen, police officers, good Samaritans or just people who are in the wrong place at the right time, who need to know that the government and legislation do protect them.

It's been a while coming, but today we're more open to this type of legislation than we've probably been at any time in the past. It's important that we do make the bill right. Hopefully, the government will make sure that the bill is right as well in the implementation period. I believe that the Consent and Capacity Board may be a good idea. However, time will tell when it comes to seeing whether the period will actually work or become more complex. If it becomes more complex, I'm not sure what we'll do. We've gone from the medical officer of health scenario to the Consent and Capacity Board scenario in this bill. It's a matter of making sure that the board can be called together quickly and that we can help save lives with it.

We talk about public safety. In this House today we passed Bill 56, the emergency management act, and we had almost all support of the House for that bill. But there's so much we can do in this House around com-

munity safety to help protect, in a lot of cases, the people who protect us. I've got to tell you, though, that this scenario that we're seeing in Caledonia is getting to be a little bit of a nightmare. We're talking about people coming into contact with police officers. Some of the things that have happened—Caledonia may or may not be an example of why legislation like this Bill 28 may need to be passed.

I'd like to put on the record an e-mail that I received today. I'm not going to read where it's from, because I wouldn't want to see anything happen to this person. This is the type of thing that people are telling us, the politicians at Queen's Park, about what's happening out at Caledonia. I think a number of members of this Legislative Assembly may have got this. It goes right back to protecting police officers, good Samaritans, you name it. This comes from someone who I would say isn't a very violent type of person, but they're just outlining what has happened. After, I want to tie this into how Bill 28 may in fact help even police officers at Caledonia.

"Dear Sir/Madam,

"I'm writing to you about a town that Mr. McGuinty continues to urge to remain calm while he does nothing. For the past 104 days the town of Caledonia has been subjected to the following:

"—tire fires set;

"—a van set on fire and pushed off an overpass;

"—barns burned to the ground;

1640

"—bridge set on fire;

"—CN train tracks damaged;

"—nine employees of a Hamilton railway company have been laid off as they are unable to use the train tracks;

"—highways illegally blocked;

"—rocks thrown off overpasses at vehicles;

"—militants walking around with weapons (crowbars, two-by-fours with nails in the them, and axes);

"—roads dug up and destroyed;

"—hydro transformers blown by trucks set on fire—throwing Caledonia and neighbouring communities into two days of blackout;

"—a security guard for Hydro One forced from his vehicle, chased by men with bats, his car set on fire;

"—two OPP officers held hostage and subsequently 'charged' with trespassing;

"—neighbourhoods terrorized by all-night drumming, music blaring, floodlights aimed at their houses, natives taking pictures of them, their family, and property;

"—natives taking pictures of cars and licence plates at Caledonia businesses;

"—schoolchildren terrorized as native militants hang their warrior flags on the fences, yelling and screaming;

"—schoolchildren terrorized as native militants hop a schoolyard fence during recess;

"—schoolchildren terrorized as they are ushered inside to eat their lunches under their desks;

"—life-threatening accidents on the 'alternate routes' which are little more than country lanes;



“—farmers’ fields (their livelihood) ruined by ATVs;  
“—symbol of the Six Nations carved into farmers’ fields;

“—cars and people are subjected to illegal search and seizure of property;

“—an army reservist was held hostage, handcuffed, received death threats and was forced to apologize to the natives in front of the media;

“—a reporter from the Kitchener Record was held by the throat as natives searched his car for his camera—the pictures were then deleted—all in front of the OPP;

“—two elderly people had their car surrounded in the Canadian Tire parking lot by the natives. The natives had proceeded to jump on the car—OPP within 10 feet;

“—two reporters taping this incident were attacked by natives. Their video camera and tape were stolen from them, one cameraman required staples to close the wound in his head—again OPP stood by and did nothing;

“—US border patrol officers and OPP officers pulled from their vehicle; the stolen vehicle was then used to ensure another OPP officer in a blatant attempt to murder him;

“—people receiving death threats if they speak out against these home-grown terrorists.

“These are what I remember from the past 104 days, the days which Mr. McGuinty claimed were without incident. What will happen in the future? Nightly, people hear construction going at the Douglas Creek Estates and yet see nothing in the daytime. What are the natives building? Warriors are coming up from the States. What kind of weapons are they bringing with them? So far the only politician who has really spoken up is Toby Barrett. I ask that you all speak as well, as this situation could very easily be happening in your town or city next.”

It’s sincerely signed by a lady—I wouldn’t want to put her name on the record in the House.

What I’m saying is that this is an example, a case, at Caledonia where there have been a number of OPP officers injured. There’s an opportunity here, or there could be, when people come into contact with other people—whether it’s been cuts or scrapes—where blood could be exchanged just because of a natural, unexpected incident that could happen or fighting that could occur. This is a case where probably there’s been no example like that used. But what I’m trying to say is that we have this incident brewing over here in Caledonia.

This is the type of incident that could force a reason for Bill 28 to come into effect. The chances may be remote or they may be very high, but I think it’s an example. What we’re seeing at Caledonia is not something that we see in Ontario on a day-to-day basis. This is a very unexpected incident that we hope would seldom occur, and we hope when we do get Caledonia resolved, that we won’t see any more of these incidents in the future.

What I was trying to point out was that you’re getting tempers flaring, you’re getting massive numbers of OPP officers and you’re getting massive numbers of people on each side of this incident complaining about the blockades. Both sides think they’re right on the issue. Of

course, incidents break out and bloodshed takes place, whether it’s a small amount or whether it’s very serious concerns or crimes. There would be a perfect example.

I also wanted to tell you about an example of a paramedic. I didn’t quite get to this when I was talking about the paramedics earlier, but one of the things I wanted to mention was that when we were dealing with paramedics, one paramedic came up and mentioned to me, when we were trying to get Bill 105—we were trying to get a test on the person this paramedic had made contact with. What had happened was that someone in an ambulance, the person who was injured, had actually spit all over the paramedic, spit in his face. Some of the spit went down his throat, that type of thing, and he felt he may have come into contact with someone who had a very serious disease. That’s another example.

I know I’m giving kind of crazy examples here, but the reality is, I wanted to put these sorts of things on the record because that’s why we need the legislation. You don’t think of these things when you’re safe at home or you’re comfortable driving down the road. It’s when something comes up, whether you’re a police officer, a fireman, a paramedic, a correctional worker at a jail or a good Samaritan—it could be you or I on the way home this evening. These are cases where we need to make sure there’s protection in place for all citizens of our province. As I said earlier, the challenge will be making sure we can make that protection actually work in this legislation. It will, of course, be up to the Minister of Community Safety and Correctional Services to prove it works.

If we get this bill passed this fall, with everything that’s already in place, or all the protocol that’s been put in place before that, I would hope that this bill would be proclaimed by January or February of next winter, so that we could say once and for all that if this type of situation comes up, these people will in fact be protected.

I also want to put on the record today that I have to say to the members of the government that, although I’m the critic for community safety and correctional services, there are not many people on that side of the House I admire more than Minister Kwinter. He’s a person I talk to quite a bit. I have to criticize him quite often because I am the opposition critic, and I do find fault at times with some of the things he does. However, I know he does his very best to be a good minister in that position, just as we’ve had a number of good ministers in this House in that position, including my colleague Bob Runciman, who did an outstanding job in that position.

I was really curious today, while we’re on this bill—this part of my comments has nothing to do with Bill 28, but with the ministry—I was very interested to hear a question coming from the member from Huron—Bruce to the minister on the OSPCA. I’m assuming it followed on the fact that just yesterday I put in—is the clock okay? Can I ask you if the clock—

**The Acting Speaker:** The clock’s okay.

**Mr. Dunlop:** The clock’s okay. It’s an older clock and it needs to be oiled once in a while. I’m sorry. I noticed this. I didn’t know what it meant.



**Mr. Dave Levac (Brant):** Start over.

**Mr. Dunlop:** I have to start over again. Thank you, Dave.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Are you going right through?

**Mr. Dunlop:** Yes, I'm going to be here a while.

**Mr. Yakabuski:** Good.

**Mr. Dunlop:** No, I can use you still.

Thank you very much, Mr. Speaker. I apologize for that delay.

I wanted to talk a little bit about community safety and Caledonia, and what happened today in the House was a question on the OSPCA. I think it was a direct result of about 8,000 names on petitions I introduced yesterday from the Ontario Society for the Prevention of Cruelty to Animals, calling on the government to follow the recommendations of the Grant Thornton report. That's why I brought it in there. I've had a number of meetings with the OSPCA, and I was interested to note that that question came up today, because what we're asking for is long-term stable funding. That's what the OSPCA is really after. They acknowledged everything else the minister said in his response. It's just that the Grant Thornton report did call for long-term stable funding. I wanted to put that on the record, because I didn't have a chance to be part of that question.

That takes me to—I'm getting down on time here.

1650

**Mr. Bruce Crozier (Essex):** Not quickly enough.

**Mr. Dunlop:** Thank you very much. As I said earlier, I appreciated what Mr. Miller and Ms. MacLeod had said about Bill 105, but really I think what we're all trying to do in this House is to say to the people who put their lives on the line every day that the government and the citizens of the Legislature care about their jobs and they care about what they do after their jobs are done at night. I can tell you that by far the biggest reason why we want to pass Bill 28 is that these police officers, emergency service workers, firefighters—these are all people who have lives outside of their jobs and, certainly when they come into contact with somebody they suspect may have a communicable disease of some kind, whether it's AIDS, hepatitis C, HIV—whatever it may be—they want to know that the government will be there to help them. I think that's the bottom line. They don't need to feel like they're left alone in this world because they can't come into contact with their family members or their colleagues. They're concerned that they may in fact carry some kind of a communicable disease after the incident that they would pass on to someone else. That is by far the main reason.

I just want to say in hindsight, as we look back on the bill, I want to thank Bruce Miller and Bob Baltin from the PAO and Freddy LeBlanc from the Ontario Professional Fire Fighters. They were two of the key people who set up meetings across the province. I think they were very worthwhile meetings; I think they were meetings that made a lot of sense as far as getting the general public and the media involved in what some of these

folks put up with when they go on the job day in and day out. It's not simply a matter of standing at a fire hydrant, attaching the hose and shooting water on a flame, or—the same with a police officer—pulling someone over for a ticket. There are so many other incidents they face on a day-to-day basis that most of us have no idea about and they need to know that we know they're valued and that we value their time outside of their jobs as well.

With that, I'm going to—

**Mr. Kormos:** Garfield, no. There's more to be said.

**Mr. Yakabuski:** I missed the first part. Could you repeat it?

**Mr. Dunlop:** As you know, this is a one-hour leadoff here today.

**Mr. Jeff Leal (Peterborough):** Can we hear it again? There must be some nuggets in there.

**Mr. Dunlop:** No, there's—sorry, I almost spilled my water. I did spill some of it.

I really have nothing more to say on the bill. What's very important right now, what's very important to the emergency service workers, is that when this legislation is passed and finalized and any of these applications go to the Consent and Capacity Board, we actually have very quick movement through that process, so that people can find out very quickly whether or not they've come into contact with someone with a communicable disease. That's what it's all about: whether it's an emergency service worker, a good Samaritan or just anybody who comes into contact, we know that the government would stand behind them and help them out of these incidents. With that, I appreciate this opportunity to say a few words and look forward to further debate on the bill.

**The Acting Speaker:** Questions and comments?

**Mr. Kormos:** This is but a two-minute response to the member, and then I'm going to have a chance in around eight minutes' time to speak to this for an hour, because that's all the time that's allowed me, unfortunately. Those are the kinds of rules that this government imports into this House. It's supposed to be a place of debate, it's supposed to be a place of dialogue, but no. Inevitably, if they don't use the standing orders to short-circuit dialogue, they'll bring in time allocation motions. It's the kind of guys that Dalton McGuinty and the Liberals, with their democratic renewal, tend to be.

I'm pleased to have listened to Garfield Dunlop, the member for Simcoe North, speak to this bill, because he, of course, was the author and advocate for the root bill that's being amended, that is, the initial proposition. I remember being pleased to support him in that endeavour.

One of the things I'm going to be expressing concern about when I'm given the opportunity to do my lead speech on this in around eight minutes' time: This bill was introduced on November 15, 2005. It's been sitting on the order paper, lingering, gathering dust for seven months now. This is a government that considers itself in any way akin to functional? It's a nine-page bill. They can't even get this bill through second reading so it can go to committee where it belongs? In the interim, those front-line emergency workers, firefighters, police officers



and paramedics, amongst others, are being put at risk. I say to this government that their ability to process legislation is about as fouled up and negligent as their ability to manage our electricity supply, about as fouled up and negligent as their ability to respond to kids over age six with autism. Shame on you.

**Mrs. Liz Sandals (Guelph–Wellington):** I was just going to comment that I thought that this was one of the times when members from the three parties in the House were actually going to be able to work together, but after the comments from the member for Niagara Centre, I'm not so sure about that. At any rate, let me at least carry on with what I was going to say.

Clearly this is a bill that was brought in by the member from Simcoe North as a private member's bill in a very well-intentioned attempt to make sure that when there is an exchange of blood products with emergency workers and health workers, there is a way in which we can get the blood test to make sure they have not been exposed to a very severe disease like HIV or hepatitis. Unfortunately, the way it was originally formatted, the process was a bit cumbersome. We wanted to carry on with that protection for our emergency workers, and we revised the bill so that we could get a more streamlined process to get those blood tests.

For example, you wonder how you exchange blood products; what does that mean? I was in the hospital a number of years ago, and a nurse was trying to give me an injection and managed to put the needle through both her finger and my hand—an exchange of blood products. It was nothing violent or anything; the nurse just sort of missed with the needle that day and there was an exchange of blood products. Obviously, I consented for blood tests to put her mind at ease, but that doesn't always happen when we're dealing with criminals. When you're dealing with criminals and there are police, fire, emergency workers or correctional officers, they don't always consent. This bill will allow that process to speed up.

**Mr. Yakabuski:** I too listened closely and carefully to the member for Simcoe North as he spoke about Bill 28 and also a little bit about the history of his bill, Bill 105, which was proclaimed. This bill is designed to actually make the system a little more workable. We do commend the government for bringing this forward and responding to the member for Simcoe North.

**Mr. Kormos:** Why? It remains to be seen.

**Mr. Yakabuski:** Yes, of course, it does remain to be seen whether it can work or not, but they think that this may be the solution.

It is certainly a bill that we support, because there's no question that people in those vital areas of emergency work, such as police, firefighters and paramedics, have to have this protection to ensure that if they come in contact with someone who is infected when they're doing their job, they can in fact determine that and take the necessary steps.

A question that I have—and I must say the member from Niagara Centre raised it—is, what has the govern-

ment been doing since November 15, 2005? This is an important piece of legislation to offer and afford that kind of protection to our emergency workers. Why have they taken so long to get it here? It will be eight months on Thursday. This kind of delay is absolutely and totally unnecessary. This is the kind of bill that I think we as a Legislature want to see brought forward so that we can get it passed and get the necessary changes enacted.

Again, I thank the member for Simcoe North for bringing this whole issue forward and for his great work, not only on this issue but so many others when it comes to the protection of emergency workers and law enforcement people in Ontario.

**1700**

**Mr. Prue:** I was downstairs in my office watching this on television. I always like to see how members of the House look on television because you actually see the front of their faces—I ran up the stairs—as opposed to the backs of their heads, which we see here in the Legislature.

I listened to what the member had to say, and I remember quite well his private member's bill. What I want to talk to the House about is really more about the private member's bill process, because oftentimes when we put these private members' bills forward, debate them here in the Legislature and get the approval of our colleagues, they literally go nowhere. It's kind of sad; it's kind of a shame. You think, why did you spend all that time and all that effort trying to put forward a good idea which in the end doesn't seem to go anywhere?

This is an example of an idea that has been seized by the government, an idea the government sees has merit, and even though in the process it did not seem to go anywhere in terms of the last government or this, the member is to be commended for having brought forward the idea and the government is to be commended, I might say as well, for having taken that idea and run with it in terms of legislation. It's one of the very good examples—I'm getting too old to run up the stairs—of how this place can work better. We need to commit ourselves to do more private members' bills. We need to commit ourselves to bring in these kinds of fresh ideas so that things can be looked at.

On this particular bill, there seems to be unanimity among members of the House so far. I'm waiting for my colleague from Niagara Centre, but it should be acted upon with some rapidity.

**The Acting Speaker:** That concludes the time available for questions and comments, and I'll return to the member for Simcoe North. He has two minutes to reply.

**Mr. Dunlop:** I'd like to thank the members from Niagara Centre, Guelph–Wellington, Renfrew–Nipissing–Pembroke and Beaches–East York for their nice words and their comments on my leadoff comments.

I want to say again that we need to make sure that under the Consent and Capacity Board, the bill will work. I support the minister bringing it forward. I support the efforts of the Police Association of Ontario and the OPFFA. I support everyone in trying to make this better.



I'm just hoping that when we go to the Consent and Capacity Board, we don't find a bunch of delay tactics or reasons why people can't find out whether or not they've come into contact with somebody who has an infectious or a communicable disease. That's what my concern is here today. It was always our concern, what the delay process would be, from the actual point of contact of the incident that took place until the person found out about the blood sample.

I also appreciate some of the comments made about private members' time. I think we've been fairly fortunate here. One of the fine things about the provincial Legislature is private members' time, when we get to come in and debate all types of issues and legislation. When it eventually is passed, it's always good to see a private member's bill get through. So I appreciate the fact that Bill 105 was passed and proclaimed and was the foundation for Bill 28. Let's hope that Bill 28 is very effective in its use.

**The Acting Speaker:** Further debate?

**Mr. Kormos:** I'm pleased to speak to this bill. I'm just finishing a note in response to library researcher Rick Sage, who just sent me some material. So if one of the pages will come up here and take this to the library—probably Mr. Sage would be the best person—he is going to send you back with some material that will be germane, I hope, to our discussion of this bill.

As I say, I recall the efforts around Bill 105, the private member's bill introduced by Garfield Dunlop—gosh, that was back five or six years ago now—and the enthusiastic support that firefighters, police officers and paramedics had for it.

The thrust of the bill was simply this: If I'm downstairs in my basement—and for the life of me I don't know why I bought the radial arm saw, because it's the more dangerous of the two when it comes to table saws or radial arms—and I take off a left hand on the radial arm saw and I've got paramedics and firefighters down there collecting the fingers and digits, and I'm bleeding all over them, surely it's only the decent and proper thing to do to give those paramedics the level of comfort they need—knowing whether I've got AIDS, whether I've got hep C, whether I've got any number of infectious diseases which their exposure could cause them to contract—so they could take the appropriate measures.

There was a whole issue around privacy; that this compels disclosure of personal health information. Nobody who supported Dunlop's bill disputed the need for there to be privacy around health information. But, my goodness, it seems to me that if an emergency worker puts himself or herself at risk in the course of saving somebody's life—yours, mine, a family member's—in view of the fact that there are infectious diseases out there that have become commonplace, not that a whole lot of people have them but they've become commonplace and are part of our daily vocabulary, that police officer, firefighter or paramedic has a right to know whether or not they have to take those immediate health measures to protect themselves, to do anything they can to avoid contracting the disease.

Mr. Prue is bang on when he talks about private members' bills. In this case, Garfield Dunlop's private member's Bill 105 gave rise to a bill that was passed. I remember the Ministry of Health was in there and he had to fight his own ministers—he did—because he was a government member at the time. He took them on and he didn't let go. The firefighters, police officers and paramedics, amongst others, were in there too. Even his own government had to be dragged kicking and screaming into the committee room—they did. But eventually it was clear and everybody supported the bill. New Democrats supported Bill 105. Liberals supported Bill 105. It was the right thing to do. It was a matter whose time had come.

Heck, I remember Dianne Cunningham back in the early 1990s, a delightful member from London for whom I have great regard. Ms. Cunningham, who was a member of the Conservative opposition at the time, brought forward a private member's bill that would require kids on their bicycles to wear helmets. Ms. Cunningham wouldn't mind my saying that she had in her own family a child who had suffered a serious head injury, so she was acutely and very personally and intimately and lovingly aware of what that type of injury can do to the victim and to his or her family, and what it does in the context of the health care system.

I chaired the committee that heard her private member's bill during the days of the NDP government. I was particularly proud, because prior to that it wasn't very often that private members' bills got passed at all. From time to time the government would co-opt them, plagiarize them—thank you kindly—

1710

**Mr. Leal:** On a point of order, Mr. Speaker: Some people have just arrived in the members' east gallery: Councillor Shirley Eggleton from Peterborough, staff member Ellen Stewart from the Peterborough recreation department, Pickering Mayor David Ryan, Ajax regional councillor Colleen Jordan and Ajax councillor Joanne Dies. Maybe we could welcome them. They are here to view our proceedings this afternoon.

**The Acting Speaker:** That's not a point of order, but we welcome your guests.

I return to the member for Niagara Centre.

**Mr. Kormos:** Mr. Leal, in view of the fact you spend so little time on your feet in here, I'm more than pleased to let you use some of my time to introduce folks from your community. You finally made it into Hansard. You should clip that and send it out to all your constituents.

Where was I? I almost feel compelled to start all over again. Look what Mr. Leal has gone and done.

I was talking about the importance of private members' public business. I was talking about my pride in the fact that the NDP government began to effectively appreciate and understand the importance that private members can play, and about Ms. Cunningham's bill with respect to bicycle helmets. We heard some incredible, good evidence from any number of experts, victims and families



of victims, and the bill passed. The bill became law with the support of the government.

That's why I'm especially pleased that a member of this chamber has a resolution on the order paper. What happens with private members' public business is that there's literally a lottery and lots are drawn by the people at the clerks' table to see the ordering of the debate for private members' public business. Each member has one one-hour slot. There are 102 members—there's the Speaker, of course, but as it is, he at the moment is not in a position to introduce bills because he can't perform on the floor.

**Mr. Yakabuski:** Neither can cabinet.

**Mr. Kormos:** And cabinet ministers, of course, can't because they've got all the floor time they want. If they want to introduce bills, let them introduce bills. Oh, and they do so with some of the silliest stage settings. They've got the cheerleaders with the pompoms and the wannabe backbenchers out there doing the puppy dog bit, jumping up on their leg, and they've got to shake them loose like when the neighbour's puppy gets you when you're sitting down in the kitchen and you wonder what's clamped onto your leg. These cabinet ministers with all the fanfare press conferences and wannabe backbenchers just holding on for dear life, and the cabinet minister is trying to shake them off and asking aides to please take these people away. "Go away. Go, go, go. Go away."

So cabinet ministers get to do this all the time. Private members' public business is a very important part of the weekly process here and it has produced some incredibly important stuff. Quite frankly, most members who introduce private members' bills could care less whether the government adopts it as one of their own and runs with it—and that's happened more than a few times—or if in fact the member's bill is allowed to pass, like Ms. Cunningham's was, like Mr. Dunlop's was—by his own government, I must say, so I suppose Ms. Cunningham's success as a Conservative with an NDP government was somewhat more remarkable than Mr. Dunlop's success with his own government, but for the fact that he had to fight them tooth and nail.

Unfortunately, there's only two hours a week allotted to private members' public business: Thursday mornings, one hour for each bill. Not a whole lot of debate, is it? Indeed, if a member has a number down the road on the lottery, that member's slot may never come up should an election be called, should the government be defeated because backbenchers rise up in disgust and anger against a government that's broken every promise it ever made. Think about that for a minute. Think about the fact that this government here at Queen's Park, the McGuinty Liberals with their huge majority, could be defeated if only government backbenchers were prepared to vote with their hearts and their minds and say, "A government that breaks its promises doesn't deserve to maintain the confidence of the people and we should put this to the people again." What an exciting proposition that would be.

I see member Shafiq Qaadri from Etobicoke North, who is a capable member. I've seen him perform well in

debate, perform well as Chair in committee, but I've also—I don't purport to read minds, but one can read body language. Today, when the government made it clear that it was going to break its promise yet once again—it was going to break a promise after breaking a promise after breaking a promise—to get rid of coal-fired generating stations, why, Mr. Yakabooski—

**Mr. Yakabuski:** "Buski."

**Mr. Kormos:** —Yakabuski, he says; of course it's Yakabuski—was generous enough to give me a copy of a letter dated March 16 to Jan Carr, CEO, Ontario Power Authority, a good friend of the Liberal government: "I read, in connection with my authority as the Minister of Energy"—that's Ms. Cansfield.

**Mr. Yakabuski:** At the time.

**Mr. Kormos:** As she was then, because things are fluid around here. Things can change overnight. Check the early morning papers. There's the inevitable schadenfreude by government backbenchers when they see the plight of a minister in the headlines of the morning papers, because there's the oh, so delightful prospect of maybe that telephone ringing and some minion saying, "Excuse me, Ms. Backbencher, but the Premier would like to speak to you." The limo is waiting. The key just has to be turned and the motor purrs, and the leather upholstery has that aroma of wealth and power. So the attraction of a backbencher to cabinet status, the prospect of a phone call, the demise of a minister—oh, my, how the backbenchers cluck when a minister falls from grace, but in fact the mind races as they anticipate whether their letterhead—

**Ms. Kathleen O. Wynne (Don Valley West):** Mr. Speaker, on a point of order: Order 23 in the standing orders of debate talks about "a member shall be called to order" if he—this is 23(i)—"Imputes false or unavowed motives to another member." I would like to suggest that in this case, the member for Niagara Centre is imputing false or unavowed motives to backbenchers of the government.

**The Acting Speaker:** Thank you very much for your intervention. I would like to respond to the member for Niagara Centre and ask him to make his comments relevant to the bill.

**Mr. Kormos:** Of course, Speaker. I'm being chastised by the Speaker yet once again. I bear the scars of 18 years of admonishment by a succession of Speakers, but I want you to know the regard in which I hold you and your opinion and your direction. So as we move from the lust of government backbenchers for seats at the cabinet table, the passion—Speaker, do you need time to confer? Are we okay?

**The Acting Speaker:** I'm just fine. Thank you very much for inquiring. I would ask you again to resume your speech and make relevant points with respect to the bill.

**1720**

**Mr. Kormos:** Thank you, Speaker. I'll refrain from references to lust in this chamber, even though it's, I'm sure, on the minds of so many people who are persistently playing with their BlackBerries.



Private members' public business, which is what gave rise to Dunlop's bill, which of course is what's being amended here and now—Madame Clerk, I trust I'm back on track. Private members' public business is an important function, and I use this opportunity to illustrate that. And if the clock isn't turned back on, I'll be speaking for yet another hour. Thank you, table. I appreciate that.

But I want to draw your attention to the resolution that's before this House, that's on the order paper, that reads, "In the opinion of this House"—this is a resolution that hasn't had a chance to be debated yet. It's one that is notable and noteworthy and worthy of support.

The resolution reads, "That, in the opinion of this House, to enhance the role of the private member, and allow for the debate of more private members' ballot items"—why, just think of what that could do for the member for Don Valley West. Just think of it. The member for Don Valley West should be enthusiastic about this resolution. She wouldn't have to rise on points of order to get floor time; she would be addressing her bills.

The resolution says, "That, in the opinion of this House, to enhance the role of the private member, and allow for the debate of more private members' ballot items, the standing orders should be revised as follows...." I don't want to get into the—the author of the resolution, with a legal mind, has adopted all the legalisms and the legal language of the standing orders. Because don't forget, the amendment we're speaking to today, Bill 28, is all about a private member's bill, Bill 105, Garfield Dunlop's effort. I'm correct when I state that, I presume, Speaker. It's all about private members' public business and how it gave rise to this modest proposal of police officers, firefighters and other emergency response personnel being able to protect themselves.

So the author of this resolution says, oh so modestly, "Why don't we start working at 9 o'clock on Thursdays, rather than 10? That way, instead of just being able to deal with two members and their bills or resolutions, we could deal with three. That means that that many more members of this assembly could bring forward resolutions and bills." I'm not talking about the silly stuff. What was the one last week? "Let's make Ontario a province of character." I say, start with making the Premier keep his promises. We need laws? I suppose we do after what we've witnessed from this government over the course of three years. It's very important stuff.

So the member from Waterloo-Wellington, who introduced the resolution I referred to, deserves credit. And I know that he is a conscientious member of this chamber when it comes to understanding the role of the individual member and the important role that the member can play, especially during the course of presenting and then calling private members' public business. I want to indicate that I haven't always agreed with that member in terms of some of the bills he's called. Well, I haven't. Nothing wrong with that. This place is about debate. It's about divergent views being put forward. One of the things that's cumbersome about this place, about the

chamber, about the Legislature, about this Parliament, is that there's so little debate. And then—

**Mr. Ramal:** Oh, come on.

**Mr. Kormos:** Oh, please, Mr. Ramal, the canned speeches that you get fed by the respective ministries do not constitute debate. Now, you're not bad on your feet and at speaking off the cuff. You're not bad at all. But come on; you've listened to some of your colleagues, just as I have. If boredom were regulated by the standing orders, most of this day would be out of order. You know exactly what I'm talking about, Mr. Ramal, so I appreciate your spirited defence of your rather feckless and lacklustre colleagues. They appreciate it as well. But the problem is, it doesn't cut it, because people watch and the problem is that we lose audiences. We do. I mean, here we are; we're competing—heck, it's 5:30 at night—with local broadcast news.

**Mr. Ramal:** Soccer.

**Mr. Kormos:** And the soccer. Nobody on College Street is watching. Take a walk down College Street, whether it's at 4 in the afternoon or 12 midnight, and nobody is watching the legislative channel anyway; that I promise you.

I've got an interest in this particular bill going to committee. I think it's got to go to committee. One of the things I'm concerned about is that I'm not sure the government's amendment makes the Dunlop proposition better. I'm not sure that it doesn't make it more cumbersome. I'm not sure that the process doesn't become more bureaucratic, more burdensome, and time is of the essence, isn't it? When a person has exposure to another person's blood, and that other person is a stranger, and that other person—the bleeder, if you will; the source of blood—may not even be aware of the state of his or her health, it seems to me you've got to move relatively quickly. Unlike some other members in this House, I'm not a doctor, but the information we got at the hearings around Dunlop's bill, Bill 105, was that you can do immediate responses that improve the likelihood of not contracting the disease that's spread by the contagion in the blood.

Private members' bills—another one that I'm particularly excited about is the bill of my colleague Mr. Prue, Bill 120. Dunlop's bill, Bill 105, has provided a level of comfort for emergency workers. It's the amendments to that bill we're dealing with today. This is as much a debate about private members' public business as it is about anything else, isn't it, Mr. Prue? The Prue bill, Bill 120—catch this; this is the synopsis. This is the Coles Notes of legislation. If there are students watching this who are told on a daily basis, "Don't you dare touch a Coles Notes," understand that members of the Legislature rely upon the explanatory note rather than reading the actual bill, just like more than a few students in the province of Ontario rely upon Coles Notes rather than reading Shakespeare. Some actually succeed and move on as a result of doing it.

Here we are: the explanatory note. This is Mr. Prue's modest proposition. It's a private member's bill. It's what Garfield Dunlop did which gave rise to this whole



proposition of making life a little safer for firefighters, police officers, paramedics, other emergency response personnel and good Samaritans. This is what Prue's got to say about making life safer for folks in our community: "Every residential building with two or more dwelling units is equipped with fire detectors in all public corridors and common areas of the building and interconnected fire alarms that are audible throughout the building." Boom. That's not rocket science, is it? It's pretty basic: two dwellings or more, you could have fire alarms that are interconnected and that are in common areas.

But the most dramatic and interesting part of Mr. Prue's bill—I was shocked to read this, because for the life of me I didn't understand how in the year 2006 this wasn't already the law in the province of Ontario. Mr. Levac will be interested in this because he's had considerable success with private members' public business: His Bill 3, which I was proud to support and proud to advocate for in terms of getting through to third reading, is another illustration of a very important contribution to making people's lives a little safer, a little healthier, hopefully, one thinks, a little better, a little more prosperous, a little more just.

Michael Prue, Bill 120. Is there anybody who would dispute the commonsensical quality of the proposition that "every fire escape is constructed of non-combustible material"?

**Mr. Prue:** It's bizarre.

**Mr. Kormos:** Mr. Prue says—

**Mr. Prue:** It's bizarre.

1730

**Mr. Kormos:** Mr. Prue responds.

It's bizarre that the building code in Ontario permits fire escapes that are made of flammable material. Oh, that's comforting. It makes me sleep better at night to know that that fire escape, those stairs right outside my second-floor apartment, which I've got to try to descend, are on fire. All Prue is asking for is for the members of this assembly to approve—and they have—an amendment to the building code that says, "For Pete's sake, get with it." You've got to be dumb as a bag of hammers not to realize that fire escapes should be made of non-combustible material.

Mr. Leal, give me your bill and I'll speak to yours as well. Pass it over here.

**Mr. Leal:** Internet gaming.

**Mr. Kormos:** Mr. Leal wants to advocate Internet gaming. I'm afraid I don't agree. I come from a totally different perspective on gambling and gaming. I've not been a fan of it. Everything we—the critics of it—predicted about wide-open gaming in Ontario has ended up coming true. The real addicts, of course, are governments. But Mr. Leal wants to halt illegal Internet gaming so that the gaming interests in Ontario can keep it all to themselves, so that we don't have to share. I appreciate the interest that Mr. Leal is representing and advocating for in that regard. I support his bill. My concern is that I suspect the government doesn't, just as the government

doesn't seem to support Prue's Bill 120, notwithstanding that the members of this chamber voted in support of it.

That's why I like the Arnott resolution—remember, I talked to you about that, Speaker? Ted Arnott from Waterloo-Wellington and his resolution—that if this place is going to become a little more relevant, a little more meaningful, if individual members are going to have a little more effective role, as they can have, then we should be expanding private members' public business—what a modest proposal—to but three hours a week as compared to two.

You see, the government has a technique. This is why you heard me—and Mr. Runciman might be interested in this, because he may have some of the very same questions. What bothers me and what I wonder and query is why it took Bill 28 seven months to be called for second reading. I've had to tell people over and over again—we get all these calls in our offices—Mr. Runciman does, Mr. Barrett does, Mr. Prue does, Mr. Balkissoon does, Mrs. Jeffrey does, Mr. Leal does—saying, "Why isn't Bill X, Y or Z being made law?" And I've got to explain, "No, it's the government that controls the order of business. It's the government that controls it." It's the government House leader who calls bills. In fact, once a private member's bill has received second reading, it's no longer a private member's bill. Speaker Stockwell cleared that up some years ago. Mr. Runciman will recall that. It's only the government that can call even a private member's bill. It's only the government.

Once Mr. Prue's Bill 120 has received second reading, as it has, it then becomes the property of the government. So if there's a failure to proceed with a bill like Bill 120, which does nothing more than call for fire escapes to be made of non-combustible material, if there's a failure of that bill to be called for third reading, and presumably passage, it's the government's failure. If there's a failure for Bill 28 to have been called for mere second reading—because it isn't a private member's bill—for seven months, it's the government that declined to call it for that long. Yet the government insists that Bill 28 is all about expediting the process whereby a police officer or a firefighter, amongst others, who gets exposed to the blood of an injured person, or is exposed to not just blood—we've all heard about tragic situations. For instance, police officers, in the course of effecting arrests, interfering or trying to break up a fight, a scrap, a violent altercation—there are regrettably more than a few incidents of police officers in the course of doing that, in the course of engaging in some very dangerous work, coming into contact with saliva or other bodily fluids. That makes it even more dramatic. We all know of the accused being arrested who bites the cop, right? There are incidents of police officers contracting hepatitis C, amongst other things, as a result of that. Immigration officers—people working in immigration who have to effect arrests—are subject to the same sort of risk. Correctional officers are subject to the same sort of risk.

I want to congratulate Mr. Dunlop as well for having come full circle and now clearly being in support of



public correctional facilities. Garfield Dunlop, the member for Simcoe North, has rejected privatized superjails, and I congratulate him for recognizing the failure of private jails.

**Mr. Robert W. Runciman (Leeds–Grenville):** What were the failures?

**Mr. Kormos:** Well, Penetanguishene, for one. It was a horror show.

**Mr. Runciman:** Lower cost?

**Mr. Kormos:** Lower cost until the next contract round came along. Runciman is now on the record; we're engaging in this debate here. "Lower cost," he says. Lower cost until the next contract comes around, but lower levels of service, higher risk to the community. Look, it was a noble experiment, but it failed. Mr. Dunlop recognizes that.

**Mr. Runciman:** I'll have to talk to him.

**Mr. Kormos:** Mr. Runciman says. Look, Mr. Dunlop is not exactly some member of the socialist caucus of the Conservative Party. Nobody is going to suspect Dunlop of being some sort of pinko Tory. Mr. Dunlop, I suspect, is about as conservative and right-wing as they come, although I don't want to speak for him. The Conservatives now have a centrist leader, according to Greg Sorbara, the Minister of Finance for the Liberal Party and head cheerleader for Liberal federal leadership candidate Bob Rae. Mr. Sorbara has been around a long time, and if he wants to define Mr. Tory as a centrist, who am I—it's up to Mr. Tory to defend himself, and I look forward to that debate.

The Solicitor General, the Minister of Community Safety, for whom I have the greatest regard—I've known him for many, many years and just hold him in the highest regard—brings this bill forward, not inappropriately, and finally. I can't imagine the struggle he had to go through, fighting and fighting day in and day out, to get his bill called for second reading—seven months on the order paper; nine pages long.

It's going to be passed. It's going to committee. That's where the hard work is going to be done. That's where the nuts and bolts are going to be addressed. I just can't imagine the fighting, tooth and nail, that the minister had to do to finally get this bill called. We've only got another six days here; legislative staff are understandably looking forward to that. But time is of the essence, as they say, and we want this bill to go to committee. I'm not sure it's going to be resolved today. In fact, I was waiting for the government House leader to get back to me to see whether it could be resolved today. It appears it may not get resolved today. These things happen. But look, we're still going to work over the course of the next six days to see if we can get Bill 28 wrapped up for second reading so it can get into committee. I'm going to do my best. I'm going to work as hard as I can in that respect and to that goal.

1740

But I've got to tell you this: It was shocking during committee hearings on Bill 56, in view of the fact that the Minister of Community Safety finally gets to call this bill

for second reading seven months after it was introduced for first reading, to hear police officers at the Bill 56 justice committee explain that they still haven't got, at a cost of less than 10 bucks per unit, the biohazard safety kits in all of their police cruisers—less than 10 bucks a unit.

Although we didn't have time to get into the details of what they contain, you can just imagine—the gloves, perhaps some sort of disposable suiting, perhaps some plastic eyewear, so that when police officers are called out to a scenario where there are biohazards, they can take some modest safety precautions and maybe save their lives. Less than 10 bucks a unit, and it's prescribed by the government. It's on a list of prescribed equipment for police officers, but they're still not in police cruisers across Ontario. Is that nuts, Speaker? I think so. Is that how little we value our police officers?

Speaking of biohazards, I would be remiss if I didn't indicate to you—we're talking about people being safe, aren't we? Bill 28 is about people being safe. It's about enhancing personal safety in the community. Why, then, for the life of me, this government and its Minister of the Environment would permit paper fibre biosolid sludge to be dumped willy-nilly on farmland down in Pelham—to be specific, Church Street just north of Webber Road. You come down Regional Road 24 off the QEW through Vineland, turn east on Webber Road and just before you hit the tracks, you've got Church Street, and there it is. Tim Hudak, the member for Erie–Lincoln and I—because, you see, his riding is right across the river. The Welland River separates our ridings. It's into the Welland River that the toxins from this unregulated dump are flowing because this government, notwithstanding its own experts, the ones who wrote the Report of the Experts Panel on Sound-Sorb—prepared, lo and behold, for the Minister of the Environment, January 31, 2005, which says clearly that this sort of sludge "should be controlled by certificates of approval ... that provide equal or better protection for human health and the environment at all stages from its generation through transport, composting and final use."

Yesterday, when I put the question to the minister about the unregulated sludge being dumped down at Church Street there, just north of Webber Road in Pelham, she said, "Well, we're watching." Tim Hudak and I were down there watching too, watching this mountain of sludge grow and grow, become higher and wider and longer, reaching closer and closer to the Welland River so that it can then flow into the Niagara River and so that it then can infect and impact ground source water.

How many more tragedies do we need before these guys learn? Bill 28 is all about—you knew I'd get there, didn't you, Speaker? We've done this before. Bill 28 is all about making people a little safer in their day-to-day lives. That's what the people of Ontario and Pelham expect of their Minister of the Environment and the ministry: to make their lives a little safer on a day-to-day basis.



But just as this government, Dalton McGuinty and the Liberals, still haven't got those less-than-\$10-per-unit biohazard safety kits in police cruisers across Ontario, what are they doing? Watching, waiting to see whether a cop gets him or herself poisoned with biohazards because they don't have a modest amount of equipment, just like they're watching the sludge grow and flow—orange, we're told, and the smell of decomposing bodies, this mountain of sludge on Church Street, just west of the railway tracks going north across Weber Road.

Folks down there had a picket line set up this morning. They'd never been on a picket line before in their lives. They'd never held a picket sign. There might have been a few industrial workers, but they'd never held a picket sign before in their lives. They're not radicals. There might be one or two, but by and large they're not radicals. They're hard-working folks. Some of them have families who have lived for generations down in Pelham—a beautiful community—and some chose Pelham as a place to live out the rest of their lives because they saw it as a peaceful agricultural community that accommodates reasonable levels of residential properties. And then to be assaulted on a daily basis by this mountain of sludge, stinking of decomposing bodies, and the truck traffic on a daily basis just roaring up Church Street, raising dust, and stones flying as it delivers sludge, truck after truck after truck dumping it on this site so more and more of the orange fluid can flow downstream. And the Minister of the Environment is watching? It's hard not to watch. It's hard not to see it. It's pretty obvious. She's watching and her own expert's report says that she should be requiring certificates of approval. One of the components of this stuff, you've got to understand: This paper sludge contains significant concentrations of acrylamide polymer, a known animal carcinogen, as well as total petroleum hydrocarbons, along with other contaminants. How would you like that in your drinking water, friends? Have a glass of acrylamide polymer, or even just have the smallest of sips, if you dare, or maybe some total petroleum hydrocarbons, or just simply some of the other contaminants.

**The Acting Speaker:** I've allowed the member some degree of latitude in terms of his comments. I would ask him to return to the subject of Bill 28.

**Mr. Kormos:** God bless you, Speaker. You're astute. You are on your feet promptly when a member might happen to stray from the subject, and I want to apologize to you because I want you to understand that when I stray from 28—we've talked about this before. Do you remember that we talked about this before? We were talking about the brass monkeys. Remember that? We talked about how there are two ways to get to where you're going. There's the direct route and then there's the scenic route. You can get down to Niagara Falls by taking the QEW or you can take regional road 24 south at Vineland and then Highway 8 east, or go all the way down to Highway 20 and hit some of the fruit stands on your way there. Both routes are going to get you to Niagara Falls and the casino, if that's your pleasure. But I've got to tell you, taking Highway 24 down to Highway

8 or even Highway 20 is going to be far more informative.

So look, I'm speaking to Bill 28 here, Speaker. But I want this to be as informative a route that we're travelling and—

**Mr. Yakabuski:** And scenic.

**Mr. Kormos:** —as John Yakabuski says, as scenic a route as we could conjure in this chamber.

I hope Bill 28 goes to committee. I hope it goes to committee promptly. I don't know whether that can happen. I'm going to work very hard, as I said, with the government House leader to get this bill into committee as promptly as possible. I am. I'm going to work very hard. Sometimes you've got to make compromises. Come on now, please. As folks here know, compromise is not quite my middle name, but it's not foreign to me.

1750

*Laughter.*

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** "Honourable members: Ho, ho."

**Mr. Kormos:** Says Bradley.

I'm prepared to sit down with the government House leader and figure out a way whereby today—look, you folks sometimes get a little short-tempered and a little impatient, but think about this: Perhaps by taking that scenic route, there's been a thorough enough consideration of this that maybe second reading debate doesn't have to carry on. Once again, unfortunately, I don't have time this afternoon to complete my comments. I will be back when the bill is called next, whether it's next week or indeed the week after. If we have to sit through the final week of June to deal with some of this stuff, beyond June 22—

**Ms. Wynne:** Or into July.

**Mr. Kormos:** July 1 is a holiday, but after that my schedule is clear. If we have to sit until the final week of June—

**Mr. Yakabuski:** You're not doing any tours through Vineland?

**Mr. Kormos:** I get to come through Vineland every time I come up to Toronto.

**Mr. Yakabuski:** You are one lucky guy.

**Mr. Kormos:** I am one lucky guy. That is God's country down there.

**Mr. Yakabuski:** Do you live down on the Welland River?

**Mr. Kormos:** I live two blocks away from the Welland River, as a matter of fact, down on Bald Street.

Look, the bill has to get to committee. First of all, I want to hear the government explain how it is that this version of the Dunlop bill is going to enhance the protection of the people we're offering protection to: police officers, firefighters and paramedics, amongst others.

The other problem, and I've got to tell you there's a fundamental problem here, is that the bill once again clearly provides this protection to victims of crime, understandably, and clearly to people providing emergency health care services or emergency first aid and,



this is what's interesting, if the person was ill, injured or unconscious as a result of an accident or other emergency. Why would they put that in, Mr. Prue, as compared to being ill, injured or unconscious for any other reason? I find that very peculiar. Let me put this to you: There's a flaw. "While providing emergency health care services or first aid to the person, if the person was ill, injured or unconscious as a result of an accident or other emergency." Does it qualify, because there's no definition of "accident," if I or anybody else lose consciousness, pass out, fall, break my nose and start bleeding profusely? Is that the sort of accident that's contemplated? I don't know. The government seems hell-bent on restricting the class of persons who are eligible for this protection by virtue of that particular paragraph. But then here's the kicker; here's the kicker.

**Mr. Lou Rinaldi (Northumberland):** On a point of order, Mr. Speaker: Just as I was enjoying the wonderful speech by the member opposite, I'd like to take this opportunity to welcome Miss Melissa Grover. She's Miss Teen Port Hope—in my riding—hopefully soon to be Miss Canada. Welcome.

**The Acting Speaker:** That's not a point of order, but we're pleased to extend our welcome to your guest.

I'll return to the member from Niagara Centre.

**Mr. Kormos:** Miss Port Hope, you're welcome anytime. I tell you, any one of us would have been pleased to introduce you to the chamber.

I've only got 10 minutes left and I'm only going to be able to do five, because we're getting close to 6, and then I'm going to come back to do the five.

**Mr. Yakabuski:** Oh, that seems unfair.

**Mr. Kormos:** But catch the kicker.

**Interjection:** Is there a way to rectify that?

**Mr. Kormos:** Please, can we have some order?

"In the course of his or her duties, if the person belongs to a prescribed class." This is what is of concern. What's the prescribed class? How restrictive is the government going to make this?

For instance, are they going to include teachers? Think about it. Teachers administer to children in any number of ways, not necessarily as a result of an accident. Heck, little kids in a lower level class vomit. Life for a kid is bodily fluid after bodily fluid. It's just one big bucket of bodily fluids, whatever it might be; well, it is. I see teachers in classrooms wiping noses, among other things. Think about it, Ms. Wynne. You've been there; you've done it. Don't tell me it's not. You've wiped up more bodily fluid in your life—you're a mother, for Pete's sake. You know exactly what I'm talking about.

Are teachers going to be included here, because surely that's relevant, isn't it? The government reserves to itself the power merely by regulation to define or describe those people in a prescribed class who will be eligible? Because this is protection. I'm going to tell you that one

of the questions that is going to be put at committee is the need for us to have some understanding of what this prescribed class is going to be. New Democrats and, I'm confident, our counterparts in the Conservative Party, are going to want that class to be as broad as is possible, as broad as is reasonable, broad enough to contemplate all those people who might be put at risk. The victim of crime is obvious. The police officer, as a victim of crime, is obvious, and I presume police officer is going to be part of the prescribed class. It would have been so nice if you guys had put it into the bill. It would have saved me at least 50 minutes of the last hour of debate. Had you put it in the bill, we could have just moved forward from there.

You people don't want it to go to committee. I suppose you could utilize the jackboot time allocation power that you've not been afraid to utilize in the past, but New Democrats are going to insist that this go to committee. I want the affected parties to be able to talk about how significant these amendments are, the process, because this significantly changes the procedure. No longer is the medical officer of health the sole authority, but authority is extended to the Consent and Capacity Board. That just smacks to me of more bureaucracy, more red tape, more time, more applications, more forms, more desks that it's got to pass over. And while all that's happening, some innocent victim is being infected with hep C—who knows what—and is being denied the opportunity to undertake that immediate prophylactic sort of medical process that could prevent the disease from infecting them and/or from them spreading it along to other people: their partners, their family members, other people they work with.

An interesting proposition, one that New Democrats will be pleased to deal with—I want to hear from people who have already had to utilize the existing legislation, who have had to use the Dunlop bill. I want to hear what the problems are, or whether this is just a make-work project on the part of the government and on the part of the minister. Is this merely buying a little time, a little filler so that opposition members are forced to occupy themselves with addressing these matters rather than, for instance, the government's failure to deliver on electricity? The incredible disaster today of go nuclear big, go nuclear all the way: Which one of your neighbourhoods is going to have the nuclear waste receptacle in it? Think about that. Which riding, which member, is going to be responsible for carting the nuclear waste to their riding? Are you ready to do it, Speaker?

**The Acting Speaker:** Thank you very much. It being 6 of the clock, this House stands adjourned until later on this evening at 6:45 p.m.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*

# CONTENTS

Tuesday 13 June 2006

## MEMBERS' STATEMENTS

<b>Electricity supply</b>	
Mr. O'Toole.....	4539
<b>Muslim community</b>	
Mr. Tabuns.....	4539
<b>Ontario trails</b>	
Mr. Levac.....	4539
<b>Ontario economy</b>	
Mr. Chudleigh.....	4540
<b>Relay for Life</b>	
Mr. Wilkinson.....	4540
<b>Native land dispute</b>	
Mr. Hudak.....	4540
<b>Education funding</b>	
Mr. Wong.....	4541
<b>Constituency office assistants</b>	
Mr. Rinaldi.....	4541
<b>Labour mobility</b>	
Mr. Lalonde.....	4541

## REPORTS BY COMMITTEES

<b>Standing committee on finance and economic affairs</b>	
Mr. Hoy.....	4541
Report adopted.....	4542

## MOTIONS

<b>House sittings</b>	
Mr. Bradley.....	4542
Agreed to.....	4542

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Year of the War Bride</b>	
Mr. Bradley.....	4542
Mr. Jackson.....	4544
Mr. Hampton.....	4544
<b>Accessibility for the disabled</b>	
Mrs. Meilleur.....	4543
Mr. Martiniuk.....	4543
Mr. Marchese.....	4544

## ORAL QUESTIONS

<b>Electricity supply</b>	
Mr. Tory.....	4545, 4546
Mr. McGuinty.....	4545, 4547
Mr. Duncan.....	4546, 4548, 4550, 4551
Mr. Hampton.....	4547, 4548
Mr. Tabuns.....	4549
Mr. Yakabuski.....	4551
<b>Native land dispute</b>	
Mr. Tory.....	4549
Mr. McGuinty.....	4549, 4552
Mr. Runciman.....	4552

Mr. Barrett.....	4554
Mr. Ramsay.....	4554
<b>Fair access to professions</b>	
Mr. Brownell.....	4550
Mr. Colle.....	4550
<b>Nuclear waste</b>	
Mr. Bisson.....	4551
Mr. Duncan.....	4551
Ms. Horwath.....	4551
<b>Teachers' professional development</b>	
Mrs. Sandals.....	4552
Ms. Papatello.....	4552
<b>French-language services</b>	
Mr. Bisson.....	4553
Mr. Smitherman.....	4553
<b>Ontario SPCA</b>	
Mrs. Mitchell.....	4554
Mr. Kwinter.....	4554
<b>Lobbyists</b>	
Mr. Prue.....	4554
Mr. Duncan.....	4555

## PETITIONS

<b>Services for the developmentally disabled</b>	
Mr. O'Toole.....	4555
<b>Child custody</b>	
Mr. Craitor.....	4555
<b>Education funding</b>	
Ms. MacLeod.....	4556
<b>Long-term care</b>	
Mr. Wilkinson.....	4556
<b>Cancer treatment</b>	
Mr. Wilkinson.....	4556
<b>Ontario SPCA</b>	
Mr. Dunlop.....	4556
Mrs. Elliott.....	4557
<b>Credit unions and caisses populaires</b>	
Mr. Levac.....	4556
<b>Fair access to professions</b>	
Mr. Delaney.....	4557
Mr. Ruprecht.....	4558
<b>Cafeteria food guidelines</b>	
Mr. Miller.....	4557

## SECOND READINGS

<b>Mandatory Blood Testing Act, 2006,</b>	
Bill 28, <i>Mr. Kwinter</i>	
Mr. Kwinter.....	4558
Mr. Balkissoon.....	4560, 4562
Ms. MacLeod.....	4561
Mr. Prue.....	4561, 4568
Mr. Ramal.....	4562
Mr. Miller.....	4562
Mr. Dunlop.....	4563, 4568
Mr. Kormos.....	4567, 4569

Mrs. Sandals.....	4568
Mr. Yakabuski.....	4568
Debate deemed adjourned.....	4575

## THIRD READINGS

<b>Emergency Management Statute Law Amendment Act, 2006,</b>	
Bill 56, <i>Mr. Kwinter</i>	
Agreed to.....	4545

## OTHER BUSINESS

<b>Visitors</b>	
The Speaker.....	4541
Mr. Jackson.....	4541
Mrs. Chambers.....	4545

## TABLE DES MATIÈRES

Mardi 13 juin 2006

## DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

<b>Accessibilité pour les personnes handicapées</b>	
M <sup>me</sup> Meilleur.....	4543
M. Martiniuk.....	4543
M. Marchese.....	4544

## QUESTIONS ORALES

<b>Services en français</b>	
M. Bisson.....	4553
M. Smitherman.....	4553

## DEUXIÈME LECTURE

<b>Loi de 2006 sur le dépistage obligatoire par test sanguin,</b>	
projet de loi 28, <i>M. Kwinter</i>	
Débat présumé ajourné.....	4575

## TROISIÈME LECTURE

<b>Loi de 2006 modifiant des lois en ce qui a trait à la gestion des situations d'urgence,</b>	
projet de loi 56, <i>M. Kwinter</i>	
Adoptée.....	4545



C42 DN  
X1  
-D23



No. 89B

N° 89B

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

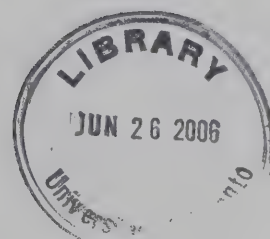
Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 13 June 2006

Mardi 13 juin 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 June 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 13 juin 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### EDUCATION STATUTE LAW AMENDMENT ACT (LEARNING TO AGE 18), 2006

### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION (APPRENTISSAGE JUSQU'À L'ÂGE DE 18 ANS)

Resuming the debate adjourned on June 12, 2006, on the motion for second reading of Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act/ Projet de loi 52, Loi modifiant la Loi sur l'éducation concernant l'apprentissage des élèves jusqu'à l'âge de 18 ans et l'apprentissage équivalent et apportant des modifications complémentaires au Code de la route.

**The Acting Speaker (Mrs. Maria Van Bommel):** Further debate? I believe the member for Trinity–Spadina has the floor.

**Mr. Rosario Marchese (Trinity–Spadina):** First of all, I just want to welcome the citizens of Ontario to this parliamentary channel. It's a quarter to seven, Tuesday, June 13, and we are on live, and please stay tuned. I've got a whole hour to pass on some information to you that may be of interest to you. I know that at this moment there is no soccer game going on, so this is a good opportunity to watch the parliamentary channel. I know how hard it would be if I were there and there was a soccer game—Italy-Brazil, let us say, as an example—because I'd be hard-pressed to watch the parliamentary channel versus a game between Italy and Brazil—hard-pressed. We are on live, giving you this opportunity, before the 8 o'clock repeats of world soccer, to just get a glimpse of what's going on here in the Legislature.

I've got to tell you, it's been so busy in this House. This Liberal government is keeping us so busy passing bill after bill, not giving too much time for debate, so we've been here sweating it out every day. I haven't had an opportunity to see too many games, and I would have loved to have seen the Brazil-Croatia game today, because Brazil is a beautiful team. Dave, are you familiar with Ronaldinho? Are you, Peter? Are you familiar with

Ronaldinho? Such a nifty player, I'm telling you. It's hard to mark that player. It's beauty on the field just to watch him play.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Poetry in motion.

**Mr. Marchese:** It is poetry in motion. Unlike this place, which is the worst of all prose, soccer is poetry, and some of those players—just to watch them is beautiful. And Ronaldinho is a very difficult player to mark, just gracefully moving from one side to the other; beautiful, isn't it?

But listen. The repeats are on tonight, so those of you who missed the Croatia-Brazil game, I hope that's the one that's on tonight at 8:00. Please watch it. It's a pretty interesting game.

You, Madam Speaker, want me to talk about Bill 52, correct? I thought you did. I've got a whole lot of time just to talk about this bill. Bill 52, just to explain it, is called An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act. That's what this Liberal bill is and does, and I tell you that this New Democrat and all New Democrats are opposed to this bill, have spoken against it, and will speak against it tonight and whenever we have an opportunity to put to the test and the evidence that we can bring forth to show how dumb this bill is.

## 1850

All the educators on the other side ought not to express surprise that we New Democrats are opposed to it, because I say to those who are principals or former principals or teachers, they ought to be critical of what's before us today. I liken this bill to what the Conservative government did when they were in government, and I'm speaking to a whole lot of Liberals tonight. I'm only speaking largely to the Liberals in this House who are yapping beside me and to the Liberal supporters who are out there who might be watching this political program. I'm speaking to them.

## *Interjections.*

**Mr. Marchese:** They yap, they yap, and that's all they yap about. Who knows what they're talking about? I can tell you, it's not about Bill 52.

So as I address those Liberal voters out there who are thinking about education and are thinking about how to distinguish between Tories and Liberals, just take a hard look at what I'm about to say to this bill.

You will recall that the Tories introduced a teacher test. You will remember, Madam Speaker, and I'm not sure—you might have known, in your other life when you weren't here—Kennedy and I used to attack the Conservative government on a regular basis on that teacher test, and why did we do that? We argued differently, of course. Mr. Kennedy had his own language and I had mine, where I said that putting first-year student teachers to the test is nothing but a political move. It has nothing to do with pedagogy; it has a lot to do with politics. Why did they introduce a teacher test for first-year teachers? To make it appear, Norm, like you were going to be tough on teachers and you were going to get the best out of those first-year teachers, no matter what.

What I pointed out to the Liberals who don't know this and to the Tories who don't know it, didn't know it and will never know it, is that 99% of those first-year teachers passed the test, and what does it show? It shows that the first-year test that the Tories introduced was about politics, not pedagogy, meaning nothing to do with how we learn and how you teach, for that matter.

What are the Liberals doing today?

*Interjection.*

**Mr. Marchese:** Norm, I just want to help you out. I just want to point out to you that the Liberals are doing what you did. I know you don't like to hear it—this is true—but they're doing exactly what you did.

**Hon. Mr. Bradley:** No.

**Mr. Marchese:** Jimmy, you were a former teacher. There's a principal right behind you.

**Hon. Mr. Bradley:** I'm telling Dave Cooke.

**Mr. Marchese:** Dave Cooke? I don't know what he said about this bill, but I've got to tell you, all New Democrats, that I'm aware, are opposed to this bill, because it's nothing but politics; nothing to do with how kids or students learn.

So the point of it is—the Liberal point of it, that is—to communicate to parents that we're going to hold students in school and argue, "Who doesn't want that?" Liberals will say, "But who doesn't want students to stay? How could you be opposed to that?" Indeed, how could anybody oppose the idea of students staying in school? But to introduce this bill that will do nothing to hold those students is nothing but politics, and I've got to tell you, when Liberals do it, it's an abhorrence to me.

I understand it with Tories, and I enjoyed beating them up regularly, but when Liberals do it, it is equally abhorrent, and I enjoy attacking them at every turn. I enjoy it, and I love to demystify and exfoliate that Liberal onion. I love to do it, because it's nothing short of politics, and no Liberal will ever stand up and admit this; they can't. But the polling shows that the majority of people want Liberals to introduce good education in our schools so that students will want to stay for as long they can, and not introduce a bill that pretends to hold them, even if, for a variety of reasons, students may not want to.

**Hon. Mr. Bradley:** Malcolm Buchanan likes it.

**Mr. Marchese:** I've got to tell you, Mr. Bradley, my good friend for many years in this place, you know how this whole thing works in this place. You know how it works, and you know better. I know you're playing a game with me; I know that. But worse, your government is playing a game with parents. That is what is most hurtful, and that's why I address myself to Liberals tonight, not to New Democrats but to Liberals, and forget those who are Tories. I don't know what they think about this. I'll let the Tories speak to this issue. But those who are Liberals ought to be offended by it.

**Hon. Mr. Bradley:** Dave Cooke.

**Mr. Marchese:** Minister, I want to tell you, if you look at your preamble—I'm going to refer you to it at the moment—if you actually did what you say in the preamble, you wouldn't need to force students to stay in school. So it puzzles me that on the one hand you seem to have an understanding of what needs to be done. On the other hand, you simply do not implement what you purport to say, and then you implement a bill that says you're going to force kids to stay in school no matter what, and we're going to punish them for it, and I'll explain that in a little bit.

Here's what you say in the preamble.

**Hon. Mr. Bradley:** Not to stay in school; to keep learning.

**Mr. Marchese:** For your information, s'il te plaît, by "preamble" I mean that which appears before we even start discussing or detailing what the bill is all about. The preamble in this bill says the following:

"The people of Ontario and their government:

"Believe that all secondary school pupils deserve a strong education system that provides them with a good outcome and prepares them for a successful future in their destination of choice, whether that is a work placement with training, an apprenticeship, college or university;"—it's a good objective.

"Recognize that the education system must challenge and engage pupils with differing learning styles and make learning more relevant to them;"—it's a perfect statement. It makes so much profound sense, and all those who have been teachers, even Liberal teachers, will agree that it makes such profound sense to "engage pupils with differing learning styles and make learning more relevant to them." Isn't that what we're supposed to be doing, mon ami Monsieur Bradley, le ministre?

**Hon. Mr. Bradley:** That's what we're doing.

**Mr. Marchese:** That's what you're doing, eh? Hmm.

Let me move on to speak about what you're doing at the moment, what you, Minister, are saying you're doing.

"Recognize that the education system must continue to provide broad supports so pupils can succeed and graduate;" Minister Bradley says, "That's what we're doing."

Moving on: "Understand the education system needs to instil in young people a lasting, positive attitude toward learning that will keep them motivated to stay in school until they graduate or turn 18;" Mr. Bradley confirms that that's what they're doing.



"Believe pupils must have a real choice through equivalent ways of learning that meet the requirements of the Ontario secondary school diploma;" Mr. Bradley, that's what you're doing.

"Recognize the importance of providing pupils with academic preparation as well as skills that will prepare them for the workplace;" Minister?

**Hon. Mr. Bradley:** Of course.

**Mr. Tim Peterson (Mississauga South):** That's what we're doing.

**Mr. Marchese:** That's what Mr. Peterson says the Liberals are doing.

"Understand that motivating pupils to stay in school depends on the combined efforts of educators, parents, employers and the wider community;

"Recognize that each student deserves opportunities that build on their interests and that recognize their individual strengths; by building on the creativity and strength of Ontario's education system and by forging links with the wider community, we can create an environment committed to the success of every student; one that focuses on providing the care and support that each student needs to reach their potential;" Mr. Bradley nods in confirmation of this.

"Affirm that no initiative is more essential to the province's future than a plan that ensures young people keep learning until they graduate ... whether it is in classroom or through" another learning opportunity.

The reason why I read for the record what it says in the preamble is to argue that if the Liberals were actually doing all these things, students would be willing to stay in school for a long time, and if the board is failing to do that, it means some students will drop out for a variety of reasons. Mr. Levac will have an opportunity, I'm assuming, to speak to this too, to talk about this as an educator. If we in fact did a lot of what we claim we're doing, then students would be better prepared, best prepared, ready, willing and able and desiring to continue with their education. If we're not providing that, it means many students will find it difficult to cope in the education system and eventually will want to leave.

**1900**

So I argue with you and I put to you that you as a government are failing our students. The Conservative government certainly failed us before, and severely, and the Liberal government is doing the same except they put a liberal, human face to it, where they pretend they're so caring of our education system and our students, but I argue there aren't too many differences, although it's hard to tell, between Liberals and Tories in this regard.

This government says, and the minister said in her speech, that the fines for students and parents—

**Hon. Sandra Papatello (Minister of Education, minister responsible for women's issues):** That's so outrageous.

**Mr. Marchese:** The minister says that what I said is outrageous. There is no Liberal drama in this place. There are no Liberal actors—or as the Premier would say, thespians—in their ranks. They're all sincere

Liberals just working hard to represent parents and students. That is all Liberals are, and Minister Papatello is the most brilliant example of sincerity. I've been to many of your press conferences to see the show, and it's unbelievable.

You will note in this bill that the fines for offences related to non-attendance in school set out in section 30 are raised from \$200 to \$1,000. Madame Papatello doesn't state that, did not state that in her remarks and is not likely to state it, should she speak again. No Liberal former trustee or educator will ever say this, but the minister did say that this has existed or has been in place for, oh, good heavens, 50 years, she argues.

**Mrs. Liz Sandals (Guelph-Wellington):** It has.

**Mr. Marchese:** But it has. The member from Guelph-Wellington—

**Mr. Kevin Daniel Flynn (Oakville):** You weren't paying attention.

**Mr. Marchese:** —and mon ami on the rump here, Mr. Flynn from Oakville; neither of these two members was paying attention, nor is the minister paying attention when I have said—you can't play with your BlackBerry because if you're playing with your BlackBerry, you're not listening, right?

I say to you that the fines in the past were 200 bucks. Right, member from Guelph-Wellington? You have increased that fine from \$200 to \$1,000. Is that correct? Do you deny it?

**Mrs. Sandals:** It increased to \$1,000.

**Mr. Marchese:** The member from Guelph-Wellington admits that they have increased the fines from \$200 to \$1,000. Now, why would you do that? What would compel to you do that? Do you think that if you slap them a little harder with a pecuniary kind of interest, they will stay in school? Mr. Levac believes, as a former principal, yes, if you slap them a little harder, they will stay. Not true, and you know it.

The Liberals have increased the fine as a way of making sure that students will stay in school no matter what because now there is an economic incentive. Should they leave, we're going to fine them. They don't talk about what is in the preamble in terms of all the education opportunities they're providing to keep them in school. They're simply going to fine them. Minister Papatello says, "Ah, we've always fined them. What's the difference today versus yesterday?" The difference is 800 bucks. Maybe to the minister 800 bucks is not a big deal. For a fundraising event, I tell you, 800 bucks is a big deal, but I say to you that the increasing of the fine is a silly move, and this bill is nothing short of politics, just as the Tories when they introduced the teacher test. It's the same thing.

Moving on, school boards are going to have to set up a time—

**Hon. Ms. Papatello:** What would you do, Rosario? What would you do to improve the system? Give me one good idea.

**Mr. Marchese:** Madame la ministre, I will engage you as I can. I've got a whole list of things to talk about.



Please remind me and interject—Speaker, I have no problem with her interjection. Please let her be, okay? We are a team in this place. We work collaboratively here. I like the interjection. She talks about what we're going to do and what would I do—one suggestion, I'm okay. But I want to get through some aspects of the bill first, all right?

School boards going to have to set up a time-consuming and costly mechanism to monitor compliance and handle appeals. I'm going to look at page 8 of the bill to tell you the enormous amount of time it's going to take for a principal or a designate to monitor non-compliance:

"If a principal or board designate determines that a person is not in compliance with section 21 or is not exempt for the purposes of the Highway Traffic Act, he or she shall give notice of the determination to,

"(a) in the case of a person who is at least 16 years old and has withdrawn from parental control, the person; and

"(b) in all other cases, both the person and his or her parent or guardian."

I'm telling you that the principal or someone else in the school is going to have to spend an incredible amount of time to monitor who is in compliance and who is not. David, you as a former principal will have to tell me as you get an opportunity for your two minutes—and I'm hoping you haven't spoken so you can speak for 15 or 20; I really am. When you stand up, you tell me, as a school principal, how busy you might have been and how busy principals are now to simply keep pace, and how, with the cuts we have sustained over the years, where secretaries in some schools are not there, where some principals are managing two schools, you could absorb yet another responsibility.

You, Dave, will say, "I can. No problem." Dave says, "I could do this. Whatever new responsibility the Liberal government gives me, I will manage it. Don't you worry." Imagine the paperwork. Talk about the special education identification process that teachers had to engage in to identify who was special-needs, and the Liberals attacking the former Tory government for going through such an elaborate process to identify students and how much paperwork that involved and how teachers and principals were so enraged with all the paperwork—at least in beginning, because later on I think they didn't quite mind it. And then you tell me that when you have to pick up yet another responsibility, to monitor compliance and handle the appeals, you as Liberals will say, "It's not a problem. It's simply another task," as if teachers and principals, as well as secretaries, are not already over-engaged in the day-to-day affairs of the school system.

I don't know whether principals are actually going to be doing this. I'm not even sure whether the government is serious about monitoring this. Maybe that's why they're not so terribly worried about paperwork—principal paperwork—to monitor who is in compliance or who is not. Perhaps that's why some Liberals are not worried about it, because they're probably convinced they're not going to actually monitor this, that this indeed will not happen except for the politics of convincing parents

they're actually doing something to hold students in the school system. But if they're actually going to be doing it, this is an incredible paper burden that they have put on the school and the principal and secretaries and/or their designate to have to do this work.

**1910**

You don't find Madame Pupatello speaking to this. You don't find the member from Guelph-Wellington speaking to this. You don't find the member from Brant speaking to this. You won't find too many Liberals from the rump even touching this topic because I don't think they know what this bill is all about except the politics of it. That is, we're telling parents we're keeping kids in school, and isn't that what we want? As long as you limit yourself to the superficiality of that politics, you as a Liberal are safe in presenting this bill as a great bill.

**Hon. Ms. Pupatello:** Is that the best you can do?

**Mr. Marchese:** I'm waiting for your other speech. I've already read what you had to say. If that's the best you can do with your speech, I am waiting for more, Madame Pupatello. I tell you, the reasons you have given to defend your bill—

*Interjections.*

**Mr. Marchese:** No, let her; it's okay.

**The Acting Speaker (Mr. Ted Arnott):** That's not the way the place runs. The member for Trinity-Spadina has the floor.

**Mr. Marchese:** The solution to the problem of drop-out rates is in improving the curriculum deficiencies. That's what you've got to do. That's what you've got to invest your energies in doing. The equivalent learning initiative in Bill 52 needs to be more fully articulated and funded to be more effective. I'm going to get to that later on when I talk about that.

Compulsory attendance will not solve the problem. What is required is relevant curriculum. An ineffective tool against youth disengagement is what we say this bill is all about. This bill is an ineffective tool against youth disengagement. How can fining students \$1,000 be an effective or efficient tool to engage students? How can it, and how can Liberals argue that it is? That's why I say to you, it's dumb; dumb politics. Good on the one hand if you've been able to persuade a whole lot of Liberal supporters, but I'm telling you, there are a whole lot of people who are beginning to understand that this is not a very good educational bill that you're presenting.

Legislating certain aspects of education could improve the dropout rate, but legislating attendance will not. So if you legislate certain educational aspects that improve the delivery of what we do as educators, it would help, but to legislate students to stay in school does not, and there is simply no evidence to show that.

This kind of bill produces marginal improvement at best. Studies show that this kind of legislation improved the dropout rate by between only 1.2% and 2%. So the compulsory measures—I will read to you the study that they've done in the US. The findings from current studies in the US stay-in-school legislation show that the beneficial effects of this compulsory approach are small,



especially considering the fact that a strict interpretation of the law would imply that virtually no teenager would be allowed to leave before age 18. Clearly, this is not the case. Essentially, the effect of raising the school leaving age above 16 was, on average, that an individual's length of schooling increased by six to eight weeks, that it decreased the dropout rate by between 1.2 and 2.1 percentage points and increased the number of young adults with at least some college learning by 1.5%.

The point is that such measures only marginally improve the dropout rate. But is it worth it, rather than focusing your energies on what you could do to hold students in school from an academic curriculum point of view, rather than the measures that some of these members—

*Interjection.*

**Mr. Marchese:** You're so funny. You Liberals are so funny. Such comic relief from the rump from Oakville. You should hear him. Hopefully, it's on Hansard because the comic relief is very, very interesting.

The point of what you're doing is that the improvements are marginal at best. Compulsory measures are simply illusory. Government knows this, and that's why I've argued that this is equivalent to the Tories introducing the teacher test, because that's what this is and nothing short of that. Using punishments pushes out the very students who need the support most. The system needs positive incentives and supports to keep students in the system. The dropout rates are actually a-failure-of-the-system rates. That's what this is about. Your bill is a revelation and an indication and an admission that your education policies are failing, have failed and/or are failing, and that you need to introduce such a dumb measure to try to persuade people that you're doing something very positive.

Why punish students for your failure—our failure, but yours as a government? Why punish them? The question is, how do we challenge those challenging students? How do we motivate them? How do we support them? What incentives do we have? Is it the fine, from 200 to 800 bucks? Is that your incentive? I'm convinced that Madam Chambers knows that this is not an issue, that that's not an incentive, that that's not the way to motivate them. That's not how you challenge students. I'm convinced that maybe Liberals who are listening understand that this is not the way to do it. If only they could admit it publicly, as opposed to one-to-one discussions they either will have with me and/or will have with some of their friends in private.

The kids are forced out because of weak academic performance. It's a response to student behaviour and/or poor attendance, and schools contribute to the problem by discharging the troublemakers through expulsions and/or suspensions.

Speaking about that, I want to say that Bill 52 contradicts the Safe Schools Act. The Safe Schools Act, introduced by the Conservative Party, the zero-tolerance Safe Schools Act, maintained by the Liberals, throws out thousands and thousands of students in the streets every

day. When the Liberals were in opposition, they attacked the Conservative government. Mr. Bradley did so, too—the Minister of Tourism as well did that—as did I, and strongly. Why? Because it punishes two groups of people. Who are they? Children of colour, racialized communities and students with disabilities. The Human Rights Commissioner said so on two occasions: that if you come from a racialized community, you're forced out of the system more often than not through suspensions and/or expulsions. If you've got a disability of sorts, whatever that may be, you're very likely to be expelled or suspended unfairly. Those who are teachers, trustees, or principals know this and they're keeping silent. The Safe Schools Act throws students out rather than keeping them in. Madame Papatello, if you were really serious, you would reform the Safe Schools Act. In fact, either get rid of that bill or change it so drastically that students would be in school learning instead of being outside and potentially being recruited by gangs.

I say to the minister: What we need—if she's listening in the backroom—is discretion instead of zero tolerance. Before the imposition of the Safe Schools Act, the authority to suspend a student was limited to a principal, and the authority to expel was limited to school boards. In both cases, the exercise of that authority was discretionary—before the Safe Schools Act. What we need, Madam Minister, if you're listening in the backrooms, are mandatory alternatives for all suspended and expelled students. There you are, Madam Papatello. I hope you're listening.

## 1920

Students who are having trouble at school won't alter their behaviour by sitting at home or roaming the streets. The human rights commissioner recommended a legal requirement that the Minister of Education and school boards set up and fully fund alternative programs for all suspended and expelled students. Also, boards should use in-school suspensions, particularly where the student does not present a threat to the safety of others, in order to ensure that a suspended student is not unsupervised during the day. I offer these two suggestions to the minister in terms of what I would do.

Minister, I offer this third suggestion to you, in the event that you are interested. Let me read it for the record for you: restoring the community adviser, restoring the youth outreach workers who dealt with at-risk students, students who went to the youth outreach workers when they had a problem—academic, emotional or economic. Those workers were fired by the Toronto board because they were broke and they couldn't afford to keep them. Attendance counsellors and social worker positions were cut—social workers who could be so very helpful to students who are in trouble or who are at risk. When the minister says, "What would you do?" I offer those three suggestions to her, because these positions are vanishing throughout or have literally vanished under the Conservative regime and have not been restored under the Liberals.



So, Minister, your Safe Schools Act, instead of providing educational opportunities to students, throws them out to be potential recruits for gangs. Now you introduce Bill 52, that says you've got to stay in school. You've got two contradictory policies and bills that are at work here: one bill that says, "Throw them out"; another, Bill 52, that says, "Keep them in." You see how they don't work with each other, but rather against each other? The minister and the ministry and the Liberal rump, who are too busy here doing other things, cannot put these two together, cannot reasonably understand the connection between one and the other, because if they did, they would oppose the Safe Schools Act and reform it, and oppose Bill 52, that attempts to force students to stay without providing the educational opportunities they so desperately need from JK, SK, grade 1, grade 2, 3, and on and on. That's what you need. We're not doing that.

This government should be providing grade 9 and 10 courses that ought to be redesigned, and grade 11 and 12 workplace preparation courses should be more relevant and realistic to vocational goals. It needs to address what students are feeling and why it is that they're disengaged. You need to deal with these students from JK. That's why New Democrats, in the election of 2003, advocated for having full-time junior kindergarten and full-time senior kindergarten. Why? Because the best prevention for poor educational outcomes is to make sure that they have a good educational beginning. If you build strongly the academic and social foundation in junior kindergarten and senior kindergarten, those students are more likely to do better academically in grades 1, 2, 3, 4, and 5, and if you did that, you would be keeping students in school and keeping them motivated, with a desire to continue beyond age 16 and beyond age 18. But we're not doing that. And so that time, that period of time which is most fundamental to social growth, intellectual growth and emotional growth, is the time when so many students who come from disadvantaged homes are getting the least support.

Instead of admitting that, acknowledging that and doing something about it, we introduce this bill. So I argue that prevention is the best form of educational opportunities that you can provide. It's an important investment to make. Every cent you spend in those early years is money or dollars recovered down the line. Every student who stays in school does not become a social or economic burden to themselves and to society down the line.

This bill purports to do that. You are starting at the wrong place, and it will not succeed. The study I have given you or put to the evidence from the US shows this doesn't work. If you want to prevent students from leaving, invest early. This government is not doing that, but in my view that's what must be done.

There is a provision to exempt students from the application of this bill by the use of an equivalent learning option, but the equivalent learning option programs don't talk about where the money will come from.

I want to quote some of the people who have spoken to this bill on this particular issue.

OSSTF has spoken to this part. One education expert—this is an OISE professor; I'll get to this OISE professor in a second. OSSTF said the following:

"It is the details of these 'equivalent learning' establishments which cause considerable concern for OSSTF members. We note that acceptable learning locations will be further defined in ministry and board policies and guidelines, which are subject to much less scrutiny than regulation"—or legislation, for that matter. "Who will set the standards and requirements for the board policies? Who will approve the providers of equivalent learning and their courses or programs? We are also very concerned that the requirements for achieving secondary school credits will be watered down."

That's what OSSTF said about that particular aspect of the equivalent learning option.

If the government is serious, why is it not doing this? Why is it not in legislation and/or regulation? Why are they not leading on, by way of example, in terms of what an equivalent learning option is? And why are they not paying for it? Why do you shrug it off to boards of education that don't have the money to do this and are already overburdened with so many things and you then impose yet another responsibility on boards of education? Who is going to be providing this equivalent learning option if it's not boards of education? The bill is quite clear on this. It doesn't have to be a board. It can be any institution that could provide an equivalent learning option. It's like a voucher system, as some educator said to me the other day. You can simply go to some learning institution, whatever that is, whoever it is, calling itself a learning institution—

*Interjections.*

**Mr. Marchese:** Boys, if you want to play with your BlackBerry, you've got to be quiet.

**Interjection:** Keep going. You've got the floor.

**Mr. Flynn:** You're not making any sense.

**Mr. Marchese:** Speaker, you've got to control these people. You've got to control them. They're playing with their BlackBerry and they're yapping all the time. And then the member for Oakville says I'm not making any sense. How could I make sense to a member who is constantly playing with his BlackBerry and yapping with the member from Mississauga? How can that be?

And the camera has got to focus in on these people playing with their BlackBerry for hours and hours, I'm telling you. They don't pay attention in this place, and that's what worries me about introducing technology in this place. As soon as you do that, all you've got is people starting to play with their BlackBerry and—

*Interjection.*

**1930**

**Mr. Marchese:** I'm glad you're listening, because you're very into this, but you've got two members right beside me, right here, constantly playing with their BlackBerry. He's proud of it; the member from Oakville is very proud to say, "I'm not paying attention. I don't have to pay attention." I wouldn't mind if they just yapped silently instead of yapping nonsensically out loud



to distract you, Speaker, more than me because, as you know, I'm going on, right?

**Mr. Bob Delaney (Mississauga West):** Yes, come on, Rosie. Deep breath, deep breath. It's okay.

**Mr. Marchese:** Such a curious individual.

The equivalent learning option may be offered by the board or it may be offered by another learning institution without any supervision. We don't know who's going to supervise this. There is no sense of who's going to supervise this. Where is the accountability? By the way, where is the standing committee on education that would permit transparency and accountability? Where is that standing committee on education that the Liberal opposition party mentioned in its 2003 election? For the last three years it has barely spoken to the issue of the standing committee on education that they promised so we could get the transparency and accountability that we are looking for. To whom are they accountable? These boards are going to have to offer an equivalent learning option, but we don't have any mechanism to review it, to know what boards are doing. It's simply stated in the bill that such an option exists, and that's the extent of it.

It's like everything else this government speaks about that is simply magical by the mere announcing of a promise, similar to what Madame Papatello announced the other day. I was at Church Street school and I thought, "Today is going to be my lucky day. She's going to announce something very, very important for our teachers, our boards and our students." This is what she said: "We're going to get rid of the 8.3% teacher gap that exists." For those of you fine Liberals watching today, what that means is the following: Teachers are paid a salary, so it doesn't affect the salary of the teacher. But the gap that we speak of, that Dr. Rozanski, who did the study in 2002, spoke of, is what teachers have to be paid but are not receiving from the government, to be able to adequately pay teachers and adequately pay for all of the other educational responsibilities the government has.

Minister Papatello came to Church Street school and said, "The gap is gone. We're just eliminating it." That's all she said. And not only that, what she said is, "We're going to take whatever millions it takes"—and by the way, Dr. Rozanski said at the time that he did his study that it would probably take about \$650 million to deal with that gap. It's a big number. It's a high number. So Minister Papatello, who is here today, said, "We're going to take the money that is in the learning opportunities grant and simply shift that to pay for the gap."

Mr. Levac, member from Brant, another curious thing: I thought, "Hmm, this is interesting. There's no new announcement here that says we're going to get \$200 million, \$300 million, \$400 million, \$500 million to eliminate that gap." It simply says, "We're going to take it from the learning opportunity grant," which has been, by the way, to all you fine Liberal supporters, the program that Minister Kennedy often referred to. Whenever there was a gap to be filled, a problem to be solved, Kennedy would say, "Go to the learning opportunity

grant. That's where you find the money." Whenever any board had a problem: "They've got loads of money. They've got the learning opportunity grant." All of a sudden, mon amie M<sup>me</sup> Papatello says that that money, whatever boards used it for in the past, will now be used to deal with the teacher gap—8.3%.

For those of you who follow this—I tend to follow this because I'm really very keen and interested—I said to myself, "How are we going to fund all the other programs that have been funded by the learning opportunity grant?" How indeed? Where's the pecunia, i.e., the money? It's not here; it's not there. It will never be announced. The government simply announced that the gap is gone and magically it disappears.

**Mr. Delaney:** You'll blow a gasket.

**Mr. Marchese:** No, don't you worry about me, my friend from—

**Mr. Delaney:** Mississauga West.

**Mr. Marchese:** —Mississauga West. Don't you worry about me. I worry about Liberal hubris, because so many ministers are at the point of exploding with their hubris. You should worry more about them than me.

So you understand, when Liberals announce these things, they simply make them go away by merely saying, "The problem is gone." But the problem will continue to exist, member from Oakville, whether you like it or not. You can go to your people in Oakville and say, "The minister said that the gap is gone. The problems of our educational system are resolved. Don't you worry." But people like me, who care about education, who've been in this field for a long time, know this is nothing but a political game.

I've got to tell you, when I see political games, it just disturbs me. It's just the way I am. I hate political games. It doesn't matter which party does it. Even if we do them, I hate them. It's true. Even when New Democrats engage in a game from time to time, I just don't like it. But I hate it when I see it in the Liberals, because they pretend, "Oh, Liberals have a heart." It's like we sent the supervisor into Dufferin-Peel. When Liberals send a supervisor, they do it with love, but when Tories sent supervisors into three boards—Ottawa, Toronto and Hamilton—they did it with evil intent. When Liberals get into power, they're such lovey-dovey kinds of creatures that everything they do has to be nice, because they're Liberals. Right? It just never ceases to amaze me.

I put these things out so that those of you who are interested in education will know that the minister will announce all sorts of things, whether they're real or not, and will have you believe that they are, whether you believe it or not—and more so than not. If it's reported in the media that the minister has gotten rid of the teacher gap, it will be believed by people. Why wouldn't they believe it?

**Mr. Flynn:** Get me in Hansard some more, Rosie.

**Mr. Marchese:** Member from Oakville, I'm going to get you in Hansard as long as I can, and I do this to provoke you to speak, to provoke you to do your 20 minutes, because you've got time. Dave Levac, you've



got to get this man to speak more often in this place. Get him to speak, because he's got zeal. I can tell. He's got interest. It's there, and I want to hear him more often.

What more does this bill do? Let's see. It says that if students don't stay till the age of 18, they might not be able to get their driver's licence. Here is another punitive measure; not an educational measure, not something that is motivating the students to learn, but saying, "You'd better stay in school," as a father might, or possibly a mother who might say the same thing: "If you don't stay in school, you're not going to get the money for your insurance on that car."

This Liberal government actually believes, I think, that if you say to students "You won't be able to get your car licence," they actually will stay, as if that will magically, like all things Liberal, make students all of a sudden reform themselves and say, "Good heavens, all these years it's been so tough on me, so difficult. I can't read or write very well. I've got a learning disability. I never got the help I needed from the educational system, but, God knows, I want that driver's licence. Now I've got to hunker down, because Papatello says I can't get my licence." You've had educational problems for years and years, and the minister says, "We're going to make you stay no matter what," and by depriving you of your licence, you're going to, all of a sudden, magically start learning better.

You see, it just doesn't work. You can see, good listeners, good citizens all, and taxpayers as well, this is bad policy, terrible politics as I have exposed it, because it does nothing to help students who need the help in our educational system.

1940

What has another person said, a professor at OISE?

*Interjection.*

**Mr. Marchese:** Jim Bradley, good to have you here again.

"One education expert who specializes in systemic change, University of Toronto professor Barrie Brent Bennett, called the proposed legislation problematic. He said the mantra of 'more is better' does not always apply in education.

"I think it's important for kids to get as much education as they can, but more of something that caused them to leave school in the first place isn't the answer," said Mr. Bennett, who teaches at the U of T's Ontario Institute for Studies and Education."

Mr. Bradley, to repeat it for you: "I think it's important for kids to get as much education as they can, but more of something that caused them to leave school in the first place isn't the answer." And I agree with him. Most educated folk that I know will say the same thing. I have to assume there are a whole lot of educated Liberals, both in cabinet and outside of cabinet, who must understand this, and if they don't, I have to worry about your intellectual capacity to grasp this issue.

**Hon. Mr. Bradley:** What does Dave Cooke say?

**Mr. Marchese:** Well, I worry. I hope you don't mind me worrying about some of you in this regard.

**Mr. Delaney:** But Rosie, your hair will fall out if you worry.

**Mr. Marchese:** It already has fallen out, thank you so much.

**Mr. Delaney:** See? Proves the point.

**Mr. Marchese:** And it's more genetics than worry, I have to tell you. Worry doesn't, generally speaking, cause the loss of hair, except if it's extreme, and only on some people.

Here's what another young person said: "While the work the education ministry has done to keep students engaged and interested in high school is commendable,"—it says something positive about you—"this step"—meaning, this bill—"is an unnecessary infringement upon the lives of Ontario adolescents. If you have to enforce staying in school with such punitive measures, then there is still something wrong with the system," which is what I've been saying. We tend to think the same way, right?

Maybe there's something wrong with our thinking. Maybe it's a mindset on our part. The people I'm quoting, I don't know what political position they have, but I suspect they're not NDP. I suspect they're much closer to you politically than me, but we tend to think the same way.

"The government should find better ways to encourage students instead of scaring them into their own education."

**Hon. Mr. Bradley:** Who are you quoting?

**Mr. Marchese:** It's a young student whose name is Nathan Lachowsky. He's the president of the executive council of the Ontario Student Trustees' Association. He wrote this and he was quoted in the *Globe and Mail*, for your benefit, Jim.

**Hon. Mr. Bradley:** Thank you.

**Mr. Marchese:** You're welcome.

I think he says something else here: "Gerard Kennedy, Ontario's Minister of Education, proposed last week that the province revoke the driver's licences of students who drop out of high school before 18. The 'Learning to 18' initiative would also force 16- and 17-year-olds to prove they are still in school before being allowed to get a driver's licence." He said that as well.

I point out to you, by the way, that if some of these students should decide to drive without a driver's licence, you are creating a new class of uninsured drivers. You would be creating a new uninsured driver by this bill and would be exposing parents to a new and increased liability. It is highly probable that most of you did not think about that, but I believe this is going to be an unintended consequence of the harm you are doing through this particular bill.

I tell you, this is a simplistic solution to a complex problem, and I think you will have to think this through as you go along. I am hoping that the government, if it's going to do this, is going to find a generous commitment—of funds, that is—to provide for those equivalent programs and offer detailed information about what the expectations will be regarding these programs. Those of



you who have watched tonight or continue to watch tonight as we debate this bill, I urge you to make your voices heard. I urge you to come to the committee hearings that we're going to have on this bill. We don't know when we're going to do this or when the Liberals have an interest in doing this. It could be the summer months, possibly August. My suspicion, hopefully, is that it might be in September, but we'll see. The point of September is to engage more of you who might be here at that time, as opposed to being on holiday in July and August. So I'm urging the government to hold these hearings in September.

And I am urging those of you who are interested in this bill to lobby your member of provincial Parliament face to face, like the member from Oakville, who has been so thoroughly engaged, and like the member from Mississauga West, who is a strong advocate of the computer tablets in this place and the BlackBerries in particular that we are seeing more and more frequently. I used to believe that I didn't mind them, but now as I see them on a regular basis, beside me, in front of me, I'm beginning to be alarmed by them. It makes me feel that the majority of them are not paying attention because they don't want to, and they should be. So please call the members of provincial Parliament, meet them face to face and ask them to give you a rationale as to why they support this bill. But my hope is that you will be opposing this bill, as New Democrats have tonight and as we will continue to do throughout the hearings. Thank you.

**The Acting Speaker:** Questions and comments?

**Mrs. Sandals:** I just want to comment briefly on the comments from the member for Trinity-Spadina. Let's talk about the fines for truancy, the issue that the member brought up. I was a school trustee for 15 years, and I don't think in that entire 15 years we ever charged a child with truancy with the intent of imposing a fine. In fact, it has always been to get a court order that they attend school. The only time, in my experience, that we have used that long-existing clause that says you can be charged with truancy—and one of the penalties is a fine—has been in relation to parents. You will sometimes find, particularly with 13-year-olds, 14-year-olds, that the problem with the truant child is, quite frankly, that the parent isn't paying attention, and the fine is more a mechanism to get the attention of the parent. Hence the rationale for updating it to today's monetary value, because I don't think this fine has been updated, certainly not the whole time I was a trustee. So we're simply updating it to a modern, meaningful value, not because we're going to fine kids if they don't go to school but because of the experience that says sometimes you need to get the attention of the parent, to get the parent on file and paying attention.

The main thrust of the bill from my point of view is giving the government the ability to introduce new forms of curriculum, because the member from Trinity-Spadina is right: What we need to do is have a more relevant curriculum for those students who are dropping out, because quite frankly they don't fit the current curricu-

lum as defined by the previous government. So what we are doing with this legislation is getting the ability to set up more streams of alternative learning, co-op placement, workplace engagement for students, to set up new diploma streams which have high skills as the goal. That's the main thrust. Thank you.

**1950**

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to add some comments to the hour-long leadoff speech of the member from Trinity-Spadina. I'm not sure whether I can be quite as colourful as the member from Trinity-Spadina, but I'll make a good attempt.

At the very beginning of his hour-long speech, he was talking about teacher testing. I think he was saying it was a bad thing that the Conservatives did. Well, I just want to point out to him that that and many of the other initiatives that were brought in by the Harris Conservatives came from the Royal Commission on Learning that was—

**Hon. Mr. Bradley:** Dave Cooke.

**Mr. Miller:** Dave Cooke—put into effect in the NDP years and implemented in the Conservative years. Unfortunately, the current Liberal government is undoing all that good work that was done.

I might point out that Bill 78, the bill the government passed just last week—despite the fact that Dave Cooke, the NDP Minister of Education; Bette Stephenson, the Conservative Minister of Education; and Sean Conway, the Liberal Minister of Education, when they were on the TVOntario program, all said that giving control of the college of teachers to the teachers' unions is a bad idea that's not going to help the kids at all. Despite that, this government still passed Bill 78 last week, and also despite the fact that in my riding, Parry Sound-Muskoka, the former member from Muskoka, Ken Black, former principal and former teacher, wrote last week in the local paper about what a bad idea it is to give control of the college of teachers to the teachers' unions. There are a lot of well-known Liberals involved in the education system all telling you it's a bad idea, but you ignore them anyway and go ahead and pass the bill.

Now, I will, in my 11 seconds left, agree with the member from Trinity-Spadina: This bill is about politics. It's punitive, it's impractical and unenforceable, so I do agree with the member from Trinity-Spadina on that.

**Mr. Gilles Bisson (Timmins-James Bay):** I know what bill we're on, Mr. Government House Leader, because I was in my office returning phone calls to constituents, as we all were, and I was listening to Mr. Rosario Marchese give his presentation on this bill as our critic on behalf of New Democrats, and I've got to say I agree with him wholeheartedly. Let me tell you a couple of reasons why.

I had a wonderful opportunity, as we all do as members, to go and speak to high schools this spring. We're getting to that time of year. We're in the curriculum in the fall and spring, depending on the rotation. Grade 5 and high school students go through the whole issue of civics class. I was in Smooth Rock Falls at the



English high school, I guess about a week or two ago, and we had an assembly where we talked about this very issue.

People asked me, the students asked me—this is really uncanny—“Mr. Bisson, we heard something a while back that the government says if I drop out of high school, I could lose or not get my driver’s licence.”

I said, “Don’t worry. Even the Liberals aren’t stupid enough to do this.” I said, “This is something that they floated. It was a trial balloon and it didn’t go anywhere. Mr. Kennedy being gone, having left and running on the federal political side, this thing is going to die, because Sandra Pupatello, the Minister of Education, who I know as an individual, a very good person—I get along with her quite well—an astute politician, wouldn’t do something so silly.”

What happened, Sandra? You’re a lot smarter than that. I can’t believe for two seconds that my friend Sandra Pupatello, who I have so much respect for, would say that the way to keep kids in school is to penalize them by taking away their driver’s licence.

I’m going to get into all of the reasons why I think that, Sandra, you’re wrong—pardon me; the Minister of Education; I stand corrected—and why it is that I think we should be coming at this from another perspective. Yes, we’ve got to keep kids in schools, but there are other ways of doing it that I think are quite a bit more effective. Trying to withdraw licences, I think, is absolutely, as the kids in Smooth Rock Falls said, stupid.

**The Acting Speaker:** I will remind all members of the House that it’s inappropriate to use members’ personal names. I would prefer that they use their riding names or their ministry names.

**Mr. Flynn:** It certainly is a pleasure to join this debate, and it certainly is a pleasure to follow the member from Trinity–Spadina and hear his opinions on technology and BlackBerries and how they should be used.

**Mr. Bisson:** Where’s my BlackBerry? There we go.

**Mr. Flynn:** A little old-fashioned there. Maybe he can talk to his neighbour about his BlackBerry. Phone Rosie.

Anyway, I think you have to think back to when we were elected: 2003. Think of the state of the public education system in this province. Think of the lack of confidence that previous governments had instilled in public education and look at the progress that has been made to this date. You may find some details with that that you don’t like. You may see some things you may prefer to have done. But you look at what we’ve done in almost three short years compared to what destruction was wrought upon the public education system during the past 12 to 15 years. In my own fairly affluent community: sharing textbooks. One kid would get the textbook between 4 o’clock and 6 o’clock, the parents would drive over, pick it up at 6:30, and another kid would use it for the rest of the evening in Mike Harris’s Ontario—something to be very, very proud of.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** That’s crap.

**Mr. Flynn:** You’re right. I think John Yakabuski is right. He said, “That’s crap,” and I agree with the member. I’m glad he shares the same feelings about the Mike Harris government that I do. The school leaving age has not been changed or reviewed in this province for 50 years. We’re suggesting that it be done. We’re suggesting that we also attach some consequences to that. We’re also attempting to encourage our young people to stay in school longer because we know, quite simply, that a better education leads to better jobs. Better jobs lead to better incomes, to a better life for your family. If you somehow want to hold the kids back in Ontario, maintain the status quo. If you want to do something good, support this legislation.

**The Acting Speaker:** The member for Trinity–Spadina has two minutes to reply.

**Mr. Marchese:** I’d like to thank all the members, and particularly want to focus on two, the Liberal ones. The member from Oakville, very typical of what Liberals do—whenever they can’t deal with a bill or the particular problem they’re being asked about, they simply go back to some other previous government. They do this systematically and it’s tiring. The member for Oakville says, “Think of where the educational system was.” I thought we were debating Bill 52. If we’re debating Bill 52, you’ve got to make arguments to defend your bill. So the member from Oakville says we need to encourage students to stay. No; Bill 52 says that they will be forced to stay.

*Interjections.*

**Mr. Marchese:** It’s not an encouragement. John, if you don’t mind, it’s not an encouragement. This bill forces them to stay in school. It’s obligatory. The member from Guelph–Wellington says that we’re going to fine students to get the attention of parents. What a rationale. This is why you Liberals worry me. Why don’t you get the attention of parents in junior kindergarten, senior kindergarten and grades 1, 2, 3, 4, 5, 6, 7 and 8? That’s where you get the attention of the parents, not at age 16, when you fine them with a \$1,000 fine instead of the old \$200 fine, and you’re going to take away their licence. Sorry. Truancy should be regarded as an educational problem through educational programs, not through retribution, shaming, denunciations, fining, and pulling the licence away. This is not an effective academic way of reaching those students. This bill is politically wrong. It’s not smart to hurt students like this. You need to rethink it. I hope the parents will oppose it, as New Democrats do.

**The Acting Speaker:** Further debate?

**Mr. Phil McNeely (Ottawa–Orléans):** I’m just wondering, Speaker, what has been in the schools lately, because I’ve visited probably 10 or 12 schools over the last two months. I found them to be exciting places, whether they be primary schools or secondary schools: exciting places of learning, happy places, filled with teachers with good ideas. Certainly, our education system has been moving forward a lot.



One of the things I want to discuss tonight that I think is extremely important is the level of acceptance of technical training in high schools. I think that has been at a level that's not acceptable, a stigma towards technical learning in favour of academic learning. I was at a meeting of the tradespeople in my own riding about a year ago. A young fellow I knew, Dan Vinette, was in the audience. Dan Vinette is an elevator expert and has been working in that trade probably 15 or 20 years. This was new for me. I was talking to the trades and I mentioned that the people who can't make it along the academic lines should have that opportunity of learning the technical courses and such.

2000

So I was sitting down after having said those words and Dan Vinette got up and said, "Mr. McNeely, I think I'll have to correct something here. I had the opportunity of following academic or following technical when I went to high school, and I chose technical and I'm very, very pleased I did. I've made a very good living at being an expert in elevators. It's a trade that I've enjoyed. It's a trade that I teach in now, and I would just like to correct it. I could have gone in the academic line, and I chose not to. I chose a technical field."

I think we have to rework the whole technical training, and I think we're in the position now that we've had schools much the same for many years. Fifty years ago, when the age of 16 was introduced as the age required before you left school, I was teaching in a one-room schoolhouse up in Renfrew county. That's a long time ago, and to have not changed that 16—I'm sure that if we compare the societies we go out into today, if we look at the complexity of jobs, we have to say that things are much different in the last 50 years. So I really am pleased to see that age 18 is being put into legislation, that, unless you've graduated from high school, you have to stay in school and continue your learning.

One of the things we have to do is make sure that we give equal credit to technical training. That's something easy to do. In my own riding of Ottawa—Orléans, we don't have any post-secondary education. The nearest is Algonquin, which is right across the city. It's approximately an hour's ride by bus, and it's difficult for the students from our area. We're in discussions now with Algonquin College and we're in discussions with la cité collégiale to deliver virtual post-secondary education in Orléans and, at the same time, to get into high schools with this virtual education. The colleges are linked with all these schools. Time delays are not apparent with the voice. We've had trials, the cameras are set up, and students out in Orléans will be able to converse with professors at Algonquin or at la cité collégiale. I'm sure that for la cité collégiale it will be even better because their client base is across this province and they'll be able to deliver their programs across the province.

So these are the ideas that are going to come out of this. We all acknowledge that we do not run jails in our high schools. Before this legislation is put in place, we're

going to have to have those more interesting educational opportunities for kids.

I'd just like to read: "Students will be much more able to see how the courses they choose are relevant to their future education, training and, ultimately, career. Formal co-operation will be instituted between schools and post-secondary institutions, programs, workplaces and community organizations."

I think that is extremely important, because the technology is there now. The ability to deliver these courses at the high school level is there. The youth in the high schools will be able to get very interesting education through these connections with colleges.

This proposal is coming into the Ministry of Education and the Ministry of Training, Colleges and Universities, and I hope it is one of the areas where we can really make education more meaningful, more interesting and more available to high school kids because if you're not in that academic line and you're not going on to university or college—our industries need all that training now.

I was up in that great riding of Brampton the other day. We went through the Mercedes-Benz or—

**Mr. Flynn:** DaimlerChrysler.

**Mr. McNeely:** DaimlerChrysler. To see a \$30,000 car coming out of that plant every minute, to think that they produce 1,500 cars a day in that plant—I think those are the numbers—to see all the technical training, all the instrumentation, the robots, everything like that: We have to get our youth trained for those jobs. To train them for those jobs, we have to make sure they stay in high school. If they don't stay in high school till they get that diploma or get the education for a job, we know then the rates of unemployment, and not being able to compete in this very complex world. That's what happens if they don't get that training.

If you look across this great province, with all the industries we have, everyone is going to occupy a home. Most people will own a home; they'll own a car. And to think that we don't provide that kind of training in our high schools when it could be provided, on a basis that is very low-cost, then we have to see that this is a step forward. The teachers in the system, the industries, the kids themselves, will see the opportunities and be able to take us many steps forward in providing a better education across this province and making us more competitive in this industrial world we live in.

Sixteen years old was a time to leave high school 50 years ago, when life was not very complex. To look at it today and say we have problems with 18 being the age—I've been in the schools and the kids have asked me, "What about this, losing my driver's licence or not being able to upgrade my driver's licence if I leave school?" They understand the importance of the driver's licence. They understand the importance that we're putting on education. The message has got out to the schools. I'm sure it's going to be a workable situation. We will have kids who will consider the ramifications of the driver's licence. It will bring home to them, I think, the importance of staying in school, getting an education; not



being in an education system that is not suited to them, but in an education system that will give them those opportunities to move forward, to be able to sample amongst the different technical training that's available and to choose the right path for them.

It's extremely important that we're opening up the education system, that we're going to have the skills training, that we're going to have the colleges, in association with the high schools, working on curriculum. We'll be able to deliver that through a virtual post-secondary education. They'll be able to get credits from high school. They'll be able to get credits in colleges. It's extremely important. It's the future.

This legislation may have problems and it may have problems in implementation, but it will make people think, it will make people change, and make us deliver the type of education our kids want.

I am very pleased to support this legislation. There will be problems with implementation, as there are with every change, but change must come. We can't stay in the old system; we have to be in the new. We have to have subject matter, content, that's interesting to these kids. They will stay in school if we provide that. Until we provide that, we can't go forward.

We're doing that in Ottawa-Orléans. I think we're going to get our post-secondary education, which can then be used for continuing education. If we have any adults who want to continue skills training from Orléans, they have to make that trip across the city every night and it's not very interesting for them. When we get the virtual education going in the high schools, that will be available for continuing education, and we'll certainly deliver the improvements in education that we need in this province.

I'm very pleased with this legislation. It's the right direction to go in. It's opening things up and it will make a big change to our youth in the future.

**The Acting Speaker:** Questions and comments?

**Mr. Bisson:** I have great respect for Mr. McNeely, from the riding of Orléans?

**Mr. McNeely:** Ottawa-Orléans.

**Mr. Bisson:** Ottawa-Orléans. I am sorry; riding names have always escaped me. It's one of my things around here.

I have to say, however, I really disagree with the concept.

*Interjection.*

**Mr. Bisson:** I don't know. Why is it everybody knows where I'm from? That's a good question. It must be something that we're doing in Timmins-James Bay that makes us stand out. I don't know. Probably the water. No, it can't be the water—well, maybe it is the water. Anyway, that's a whole other issue.

There's nobody in this House—Liberal, New Democrat or Conservative—who says, "As legislators, we don't have to try to figure out ways to keep kids in school." Let's all agree that's where we're going. That's what we all want to do. But it's the method by which we get there. It seems to me that saying to a youngster who is 16 or 17 years old and is thinking of dropping out of

high school because of whatever is going on in their lives—I speak with some experience. I dropped out of high school before I was 18 years old. I joined the armed forces. I went to serve my country. I was 17 years old. As a matter of fact, I quit just shy of my 17th birthday so that I could be in Montreal, ready to muster up as soon as the opportunity came. What do you say to a young person like me at the time who decided to serve his country? That somehow or other, because I decided to serve with Canadian Armed Forces, I couldn't get a driver's licence? That's ridiculous.

**2010**

People have things going on in their lives between 16 and 18 that may prevent them from finishing high school. What do you do about a youngster who's suffering abuse? Maybe there's something going on in their lives so that they're not able to be in school, because of either physical or sexual abuse going on at home. There may be a whole host of reasons that the person is not able to deal with being in school at the time. It seems to me that to say the answer is to withdraw the driver's licence leaves a whole bunch of people out of the equation.

I'll get a chance to speak to that a little bit more when I have my chance during this debate.

**Mr. Yakabuski:** I'm pleased to speak to this bill, Bill 52, the Education Statute Law Amendment Act. I'm very concerned about some of the provisions in this bill. Do we need to encourage our young people to stay in school? That's a no-brainer. Absolutely. Do you encourage them to stay in school by taking away drivers' licences, stooping to those kinds of draconian measures to force people to stay in school? Absolutely not.

There should be only one reason a person loses their driver's licence, and that is because they have been found to be unsuited or incapable of maintaining a safe driving record, following the rules of the road and being able to pass the test. It should be based on one's ability to drive, not an academic credential or some form of social engineering that the McGuinty Liberals have conjured up, that somehow this is the way they're going to make Ontario a better place.

Right from the start, this has been one of Gerard Kennedy's little games. He drops this bill and then he flits off to Ottawa, abandons his riding for months first, and then, finally, under pressure from the opposition, is forced to resign. Quite frankly, I think he would have liked to stall this whole thing in the hope that he could run in the by-election; because the Premier would have held it after December 1, I'm sure, if Gerard had asked, if he had waited a little time to resign. So the whole thing was engineered, and now we're into more engineering on the part of the McGuinty Liberals.

It's quite shameful that you would say to a 17-year-old, "Do you know what? You're not getting a driver's licence." And that could mean that you won't get a job. Maybe you need that job to help out the family. There could be a number of different things. This is social engineering of the lowest form.



**Mr. John Wilkinson (Perth–Middlesex):** I want to speak directly to the parents watching tonight. It's very simple: We are not giving up on your child, period.

In this province, if you are about 15 years old—15 and a quarter—you can be truant from school, and by the time the system catches up with you, you're 16, and by the time you're 16, you can say to everybody in this society, "I have a right to spend my time hanging out at the mall; I don't have to be in school. I can do what I want. I'm 16 years old. I'm grown up." I'm a parent, and I say to all the parents that we are not giving up on our children, we're not giving up on your child, because 15 and a quarter is way too early in someone's life to say that they have the God-given right to hang out in a mall.

I say to the member from Timmins–James Bay, this bill does not affect you if you decide to serve your country in military service. It has nothing to do with it. If you are working, that is fine. If you are training, that is fine. But if you're hanging out at the mall, that's not fine; it's not fine by those of us in this society who refuse to give up on you, because you're valuable. Your child is valuable to this province. We cannot have tens of thousands of students deciding to drop out every year.

When I talk to high school students and I ask them, "Is this bill reasonable?" they say yes. They said to me, and they said to the Premier when he was at Stratford Northwestern Secondary School, that they agreed with this. When I asked teachers initially, their concern was that our government would not provide sufficient resources for them to provide the programs to save these kids, to help them reach their potential. Now they tell me to a person that because of the investments that Minister Papatello is making and that her predecessor has made, there are the resources there. There are those specialist teachers. We are not giving up on your children. I say to the parents, remember who votes against this bill, who's decided to give up on your child, because we will not.

**Mr. Robert W. Runciman (Leeds–Grenville):** I appreciate the opportunity to have a few brief comments on Mr. McNeely's contribution this evening. I want to reiterate what my friend from Barry's Bay said with respect to taking drivers' licences away from young people who are not attending school. To reiterate what he said, certainly all of us, as members of this assembly, want to do whatever we can to encourage young people to get the best education possible. There's no question about that. But to penalize people in this manner is unfortunate. I think it sends out all the wrong messages, especially—and I've referenced this in other issues that we've dealt with as a Legislature in the past year or so—in rural Ontario.

What is this going to mean to rural Ontario? That's where we are hearing—the member from Barry's Bay and I tend to represent largely rural ridings—significant concerns about the impact that this could have on the ability of young people who may be faced with all sorts of reasons that they have to support the family: a death in the family, a lost job, whatever it might be. We know in eastern Ontario, especially with the significant loss of

manufacturing jobs, where so many families are under severe economic pressures, that a young person in the family may have to leave school to provide sufficient support so that that family can pay the mortgage payments, pay the taxes, whatever it might be.

That's the sort of thing that's not being recognized by this government. They have a track record of turning the other cheek, not paying sufficient attention to rural Ontario. I predict that they will pay the price at the polls in the next election.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the member for Ottawa–Orléans.

**Mr. McNeely:** I wish to thank the members for Timmins–James Bay, Renfrew–Nipissing–Pembroke, Perth–Middlesex, and Leeds–Grenville for their comments.

One of the things I think about is the new technology that's going to be available in high school through our skills training, in colleges, all that new teaching that is not there now. You look at schools like Cairine Wilson in Ottawa–Orléans. Cairine Wilson is missing an automotive shop. They need \$80,000 to complete an automotive shop. They can't get those dollars. It's a program they started last year, and they're supposed to get it this year. That's so important to those students. I think they had 80 people sign up for that program. So that's where we're going. We know that there's a lot more to this world than was in the education system when we came here. These changes are going to be just excellent.

With the virtual education, I'd like to disagree with the member from Leeds–Grenville. The virtual education that I see as being available will be great for rural areas. It will be great to deliver these programs in the small villages and towns across Ontario. That technology is already here. It's moving fast forward. It's part of the student success story, part three that this government has under way.

So it's great to see that we're getting closer to providing the education we need to get those kids who have been falling by the wayside back on the right track. That's where this government is going. That's what these investments are going towards, and we're not far from achieving the results we need. This is a great thing. We can look at some of the downsides of doing it. Needs change, and I think we're going to find that the teachers in our high schools are going to be able to accept that change and contribute to that change, and we'll get that connection with our colleges.

**The Acting Speaker:** Further debate?

2020

**Ms. Lisa MacLeod (Nepean–Carleton):** I wonder if the member from Ottawa–Orléans is actually speaking tonight about his rural area in Ottawa–Orléans and what this bill will actually mean to the residents of his rural community, especially those young kids who are working on the farm, for whom the Minister of Agriculture doesn't even think we need to stand up.



I'm pleased to be joining this debate today on behalf of the Progressive Conservative Party. Our critic for the Progressive Conservative Party—

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** My kids were all in school until they were 18.

**Ms. MacLeod:** That's great. That's wonderful.

*Interjections.*

**The Acting Speaker:** Would the member please take her seat. I apologize for interrupting, but I would ask all members of the House to please come to order so that the member for Nepean–Carleton can make her presentation uninterrupted.

The member for Nepean–Carleton.

**Ms. MacLeod:** In any event, this bill should be re-named the “social engineering act,” because of the Liberals’ belief that they can teach responsibility by punishing kids and taking away their choices, like they are in rural Ontario.

Based on the principle that this legislation is punitive, impractical, unenforceable, and may well be found to be discriminatory under the age provisions of the charter—a Charter of Rights and Freedoms that this Liberal government and previous Liberal governments across this country wrap themselves around every time they need to make a point—I will not be supporting this bill as it presently stands. It's probably an unconstitutional bill, and I think that we ought to see that.

Specifically, I'm going to speak of the ill-conceived provision that allows for a court “to be empowered to order the suspension of a driver's licence of a person who is convicted of being habitually absent from school. The person's licence would be reinstated no later than the date on which the person is no longer required to attend school under section 21 of the act. If, subsequent to his or her conviction, a person is attending school in compliance with section 21 or is exempt for the purposes of the Highway Traffic Act, he or she may request confirmation from a board of that fact for the purpose of having his or her licence reinstated.”

The irony of this, of course, is that a 16-year-old is recognized by this province as being beyond parental control, yet this legislation actually turns the province into a nanny state. I take issue with this. We are now convicting kids for truancy. So, too, do many other Ontarians. Take for example—

*Interjections.*

**Ms. MacLeod:** This is what I love about the Liberals. When you say something that they don't want to hear, they try to talk over you, including ministers of the crown. The discipline—I'm amazed, Mr. Speaker.

Take, for example, Barry Lillie, a retired teacher—

*Interjections*

**Mr. Yakabuski:** Speaker, I cannot hear the member for Nepean–Carleton.

**The Acting Speaker:** I ask the Minister of Labour to come to order. I ask the Minister of Agriculture and Food to come to order. I ask the member for Renfrew–Nipissing–Pembroke to come to order.

I return to the member for Nepean–Carleton.

**Ms. MacLeod:** Thank you very much, Mr. Speaker.

I'd like to read an example from Barry Lillie, a retired teacher who wrote in the Record, Kitchener-Waterloo, explaining his problem with the bill and the many complications that could stem from the particular clause I've just mentioned.

“The McGuinty government clearly believes it is their responsibility to make us see the wisdom of their view of Ontario. Some might call it social engineering, but the Liberals would call it common sense (sorry, I couldn't resist).” It might be a revolution. “Now, in all seriousness (maybe not), let's scrutinize the licence loss proposal. It's a serious problem for our students. I always like to look at the workability and potential impact of a policy.

“This government likes tribunals (new adoption law) and advisory boards. This would likely be required in the case of a dropout claiming hardship, who needed his licence perhaps to drive his sick mother to hospital. Now, of course, you would need an appeal board to challenge/review the decision of the earlier tribunal. Each commissioner on each board would require a daily stipend, expenses and an honorarium at the end of their term. Before anyone is appointed, there would need to be a proper examination of the candidates.

“What are the complications besides hardship?” he says. “If a dropout had his or her licence and then quit school, the appropriate bounty officer would be needed to track down those delinquents. If a dropout is truant for X number of days (X is the unknown, Y is the question), you may or may not be declared a dropout. If you are sitting idly at a desk or, as my history teacher often described me, ‘like a bump on the log,’ then perhaps every school will need to have its own ‘bump on the log review committee’ to determine the status of this student's driver licence. There are those students who always know how to beat the system; they don't want a licence. Oh well, we still have that incarceration thing.”

So I guess maybe what I should ask next is not only are we going to send out bounty officers to find out if kids aren't going to school, what about the kids who aren't paying attention in school? What are we going to do to them? No answers. They're actually quiet, because they can't respond.

Or take Kate Heartfield, an Ottawa Citizen columnist. She says: “However well-intended, the driver's licence rule shows disrespect for young people.”

**Hon. Mr. Bradley:** Is this Randall Denley?

**Ms. MacLeod:** No. It is Kate Heartfield. I'll send you the article.

“It will delay their maturity; you don't teach responsibility by taking away all the choices. It will be a hardship for those young people who are worst equipped to deal with it.” She continues: “So anyone who doesn't want to take their ‘learning as far as possible’ shouldn't be allowed to drive? By that logic, the province should remove licences from smart high school students who choose not to go to university, or from adults who stubbornly refuse to learn how online banking works.”



What's next: If you don't go to university, this crowd is going to take away your right to vote?

Now, to underscore how ridiculous and gimmicky this provision really is, Linwood Barclay, who is actually the husband of a teacher, writes in the *Toronto Star*: "The provincial Liberals seem to have equated driving a car with making out. It's something fun," like teachers do. He reminds us, however, this is not the case. Rather, he says, "But learning to drive is more than that. It's a basic life skill." This is true on so many levels.

In rural ridings, having a licence is a necessity. My riding of Nepean-Carleton is very large. It is very vast. If a kid in my community from Kars or Burritts Rapids, Munster Hamlet or Manotick was convicted of this Liberal truancy offence, he or she would literally not be able to go to work, would literally not be able to drive a sick parent, a sick relative or an ill neighbour to the Queensway Carleton Hospital. I guess that's what they think is okay.

Additionally, this punitive clause adversely affects those kids who are most vulnerable, who either live in poverty or who are suffering from other troubles like depression or addiction. I want to know from the minister or from the parliamentary secretary: What about a child who goes through a teen pregnancy and takes some time off school? What are they going to do there with her driver's licence? I find it galling that this government would compartmentalize these kids and make them stick to Dalton McGuinty's timetable and not their own.

Because of these concerns, I think that this bill must receive a major overhaul. This is a borrowed and bad idea, with mixed reviews, at best, from the United States. I think the government should back away from this section of the legislation. The legislation, as it currently stands, ignores reality. It ignores the effects it will have on rural and northern Ontario, where alternative forms of transportation are limited and the ability of young family members to drive is integral to daily life. It ignores the financial implications for students who depend on their ability to keep their employment. It ignores teenagers who drop out of school, usually the most alienated and most troubled kids. It ignores the fact there are many personal and unique circumstances in students' lives that may require a temporary or longer-term alternative to the traditional school environment.

Rather than misallocating resources to a truancy tribunal, perhaps the government could find the resources necessary to support our autistic kids that they've broken promises to. These kids want to learn. Some kids don't. These kids want to, and you broke a promise to them. They deserve to have the network and support in place. Those parents who want to have that opportunity are throughout Ontario. Just ask them.

So I think this bill needs to be amended, I think we need to stop turning our back on the autistic children throughout Ontario and meet their needs, and I think—

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** It's your government that turns its back on autistic kids.

**Ms. MacLeod:** Okay. That's very—I'm just shocked she would even say that, after challenging a court order that orders this government to supply education services to these children. I'm actually not even in a government, never was. I'm in opposition and was sent here because they continue to break promises—

*Interjections.*

**The Acting Speaker:** I would ask the House to please come to order. I'll return to the member for Nepean-Carleton.

**Ms. MacLeod:** This is something that Frank Klees brought up when he spoke to this bill the other day: the continued broken promises to the autistic children across Ontario, a 2003 election promise that this government probably didn't intend to keep, never intended to keep, and just decided to break.

**2030**

The one great piece of advice that John Baird gave me when I took this seat over was, "You know what? Whenever they decide to raise their voices on the other side, you can look at them straight in the face and say, 'I've never lied to an autistic child,' and they have to hang their head." That's what he told me. The current President of the Treasury Board actually said that. I appreciate—

*Interjections.*

**The Acting Speaker:** I can't hear the member for Nepean-Carleton.

**Hon. Ms. Papatello:** The rest of us can. Don't worry.

**The Acting Speaker:** I would ask the Minister of Education to please come to order.

The member from Nepean-Carleton.

**Ms. MacLeod:** I think I'll finish my speech today by reading something into the record from a man named Mr. Dickson from Kingston and the Islands:

"For the record, I am a 57-year-old professional engineer. Neither I nor ... my family members will be affected personally by this legislation. I certainly agree that it is laudable to encourage young people to remain in school to at least the age of 18." We're all in agreement.

"However, there is no reason why someone who has dropped out of school may not acquire the skills and behaviour to pass a ... test and keep a driver's licence. Yes, a driver's licence is a privilege, but it is not a privilege that a government should ... deny any of its citizens as a means of social engineering, and that is what this legislation would do. Acquisition of a driver's licence should depend only on being able to acquire and demonstrate the skills and behaviour needed to operate a motor vehicle safely—nothing more. Legislation such as this increasingly restricts personal freedoms for purposes that are not necessarily in the interests of those it affects.

"I would expect a government that is successful in implementing such legislation to move on from this to other social engineering legislation, increasingly restrictive and even sinister. I hesitate to suggest examples."

We've heard a lot of comments from people across Ontario who are very concerned with this section in the legislation, and I would encourage, since the minister is



here tonight, that perhaps she should consider during committee that this actually be amended or removed.

Thank you very much for the opportunity. I thank the members opposite for turning up their Whisper 2000.

**The Acting Speaker:** Questions and comments?

**Mr. Bisson:** I want to respond to—

**Mr. Dave Levac (Brant):** Show us your BlackBerry.

**Mr. Bisson:** My BlackBerry? “Fly and be free.”

I want to respond to my—you don’t have to look at your BlackBerry. I’ll tell you directly.

I want to say to my good friend from Nepean–Carleton, I enjoyed what she had to say. Nova Scotia, by the way, is a Conservative minority government: 23 Conservatives, 20 New Democrats, eight or nine Liberals. It’s a wonderful direction. That’s where it’s going: NDP up, everybody else down. Anyway, that’s another story.

The point that I wanted to make is that you raised a point that a lot of people outside of urban centres may not realize, and that’s the importance of the driver’s licence to the family overall. For example, in my family neither my wife nor my sisters-in-law actually have driver licences. My daughter and my wife and her sisters, the two of them, basically have never bothered to go out and get a driver’s licence, for whatever reason. It’s beyond me, but that’s their decision.

Quite often, parents are having to rely on the children to be able to move from point A to point B. For example, in my particular capacity as MPP, I haven’t been home—when’s the last time I’ve been home? One day every two weeks, I manage to storm into the house. The dog gets all excited. Misty, the black Lab, is excited for a day to see me. Then my wife is glad that I’m gone again.

The point is that you end up in a situation—with Marilyn, at least—where she relied on the girls when they were younger, living at home—yes, 16, 17, 18 years old—to drive her to do the things that she had to do when I wasn’t around there.

And the case of elderly parents is a huge issue in rural Ontario. Many times, the elderly parent who might be 70-some years old, who no longer can drive because of a medical condition, is not able to rely on their children because they’re working during the day, and are having to rely after school, or whenever it might be, on the student to drive them to an appointment. You’ve got to take this a little bit more seriously, because there is an effect for other people in the family, and I thought that was an interesting point. But stay tuned, I’m next.

**Hon. Mrs. Dombrowsky:** I’m happy to have the opportunity this evening to perhaps bring another rural perspective. The member for Perth–Middlesex and I, who have both raised our children in rural communities, will say that any piece of legislation that’s going to require young people to stay in an environment where they are learning until the age of 18 is really standing up for them, standing up for the importance of the human contribution they will make to the province of Ontario. That’s what this legislation is all about.

It has been acknowledged by the member from Nepean–Carleton that having a driver’s licence is a privilege. We believe in Ontario that to encourage young people and have them understand why it is so important that they continue their formal learning until the age of 18, they must understand that if they choose not to, they would be required to forfeit some privileges until the age of 18.

I also want to say as a mother of four that we’ve raised our children in a rural community. Two of our children worked on farms and both of them stayed in school until they were 18 years of age. Working on a farm does not necessarily mean they have to leave school. They are able to do both.

It’s important that we make it very clear for all students in Ontario that we encourage all of them, that we see the value in all of them, that we want them to understand why all of them should pursue a learning experience, whether it’s in a school setting, whether it’s in an apprenticeship setting, whether it’s on a farm, as long as they are learning. If it’s part of a co-operative experience, we support them in that experience.

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I commend the member for Nepean–Carleton, Lisa MacLeod. Obviously, she has no use for this measure of yanking someone’s driver’s licence because they’re not 18 yet.

I’ve had an opportunity to visit the southern part of Lisa’s riding, a rural area. At many of the farms we visited, the next farmhouse was about a mile away. That’s a fair walk if you’ve got to do that regularly just to get to the next farmhouse. I represent a rural area. At harvest time and planting time it’s very important to have somebody on the farm who has a driver’s licence. Whoever’s running the farm oftentimes doesn’t have time to go into town to pick up employees or to pick up parts.

I do agree with the member. The McGuinty government is known for rules and regulations and red tape. It’s a draconian regime, in my view, that’s ascribing to nanny state-ism, and this is yet another reflection of that. Very simply: “Do this, don’t do that. The government knows what’s right for you.”

I feel that this legislation, the section about yanking someone’s driver’s licence, is something obviously dreamed up in Toronto and does not reflect reality. I feel it ignores people in northern Ontario, small-town Ontario and rural Ontario. I can’t imagine this McGuinty government doing the same thing to city kids. I can’t imagine this government—they’re trying to cover up a 30% dropout rate, which is shameful—yanking some kid’s TTC pass or taking away the OC Transpo pass. That’s the difference between this government and what we saw before.

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** I just want to comment on the comments of the member for Nepean–Carleton. One of the first things that struck me, among all the others—because she’s talking about rural, and as a farmer of course that always gets my



attention—is that she mentioned young pregnant teenagers. I have to wonder why you would not want them to have their education. Any time a young woman is left to take care of a child by herself, she needs her education more than anyone else. In my own riding I have seen many young women who have returned to school, and they have success stories that show and are examples to other young women like them.

**2040**

Another thing I want to talk about is the whole issue of the driver's licence in rural communities. I'm talking as a farmer when I say that we managed on our farm for many years before our kids got their driver's licences; I did my share of parts runs. If we had to do that again to make sure that our children got an education, we'd manage.

There was a time when the uneducated child was the one who stayed home and became a farmer. That's no longer the case. Farming is an industry, a business, and the individual who chooses to become a farmer needs to have that education. There is no reason to do anything that would discourage those children from getting that education. If it means you take the privilege of having a driver's licence to make sure they get the education they need, I say all the better. In my view as a farmer, we need the education—all kinds of it—to give our children.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the member for Nepean—Carleton.

**Ms. MacLeod:** I want to thank the members from Timmins—James Bay, the Minister of Agriculture and the members from Haldimand—Norfolk—Brant and Lambton—Kent—Middlesex. I especially appreciate the comments from the Minister of Agriculture and her parliamentary assistant, because I think they added value to this debate. I think they gave us a different perspective.

Having said that, while I respect their view, I can't accept it. Fundamentally, I disagree with this because of what I said in the third line of my remarks: It's about choice. What we're talking about, living on the farm or pregnant teenagers—we should be offering these kids the choice. I benefited, when I had my daughter a year and a half ago, from spending a year of quality time at home with my daughter. I had that choice, and I believe that choice should be available to anybody. That is fundamentally where you and I will disagree. While I respect where you're coming from, I fundamentally cannot accept it.

I also want to talk briefly—because I only have a minute left—about something that's pretty predominant in my community, and that's home schooling. Nowhere do I see clarification that home-schooled children will not be affected by this legislation, and that is a big concern to me. If members opposite wish to clarify, then I'll be quite happy, but I haven't heard anything.

I'd like to read a letter that I know the minister received: "As a parent to two home-schooled children, I am concerned about how this bill might affect my children's ability to move freely in society and to attain an

important piece of identification, since their daily learning does not include attendance at a public or private school."

I guess what it's all really about tonight is answering some of the unanswered questions, questions from throughout Ontario in different parts of society, not just in Toronto and not just in Nepean—Carleton but everywhere. I think what we need to do in the next stage of this bill is to clarify a few things and make some changes.

**The Acting Speaker:** Further debate?

**Mr. Bisson:** I am so glad to be here tonight to give my little contribution to this issue. I said earlier, in my responses to both Mr. Marchese and others who spoke, that I was surprised that the government actually called this legislation forward to be debated. The government proposes in this legislation, Bill 52, to say to young people in Ontario, "If you drop out of school between 16 and 18, we're going to yank your driver's licence, if you happen to have one, and if you don't have one, you will not be able to apply to get one."

I was telling the story earlier that when I was in Smooth Rock Falls a couple of weeks ago, the school assembly met with me to talk about—we had a session on government and how it operates etc. You always do questions and comments with the kids after, and they asked me the question, "Mr. Bisson, we remember the government talking about that. Is it true that Mr. McGuinty wants to take away kids' driver's licence?" I said, "No, don't worry. In politics, we call that a trial balloon. The government put it out there just to see how it was going to float, saw it as not being so much of a positive idea and withdrew it." I said that I thought a good indication that it wasn't going to be done is that Mr. Kennedy has moved on to federal politics—he wants to become the leader of the Liberal Party—and the current Minister of Education, Mrs. Papatello, the member from Windsor, is a very reasonable person. Certainly, knowing her political astuteness, she would say to her political staff and to the ministry if they brought this forward as an idea, "Get that away from me. That's silly." Most of the kids who were there agreed and said yeah. We had a bit of a discussion about it. To be fair, one particular young woman there was quite articulate and quite bright and made the argument that she thought it was a good idea. But clearly, the majority of students at that assembly were very adamant in the position that they thought it wasn't such a good idea.

Let me talk to you about what I think the nub of the issue is. Mr. Yakabuski from the Conservative Party, the member from Renfrew—Nipissing—Pembroke said, as I did, that there's not a member in this House, of no matter what political party, who doesn't believe that we should be trying to deal with the issue of keeping young people in school as long as we can.

Listen, most of us are parents. My wife and I have been blessed. We have two wonderful daughters, Julie, now 29, and Nathalie, now 24. Both went through high school and went off to university. As a matter of fact,



Julie did college for three years as a nurse. She went back to university to get her BScN and has now just completed her nurse practitioner degree. Our youngest daughter—we're just as proud of her—went off to university and did her studies in the issue of mental health. Both are now working in Timmins, one in the health field and the other in the mental health field. We're quite proud. We did all we could as parents to support and nurture our children so they could go on to school.

That's the key. Most parents do a fairly good job of supporting their kids, giving them the encouragement and support they need to complete their education and to understand that without the basics of education, it is hard to compete in this life. But we've got to recognize that not every child is as lucky as yours and mine. Julie and Nathalie have been fortunate. They grew up in a fairly well-to-do middle-class family. My father was extremely literate. My father was always reading something or other of interest. I grew up at home with books and discussions at the dinner table in regards to everything from the economics of Europe in the 15th century to communism to what happened in Africa or South America in terms of the colonization in that part of the world. That stimulated me as a young person eventually to go off to school and do what I had to do.

I'm going to tell my story a little bit later. I actually dropped out of high school in grade 11, and I want to talk about that a little bit later and talk about what it would have meant to me. But my point is that most parents try to do a good job. Sometimes we fail as parents. We do the best we can, and the child, for whatever reason, either hangs out with the wrong crowd or the child him- or herself is not motivated; for whatever reason, they're just not able to cope with going to school. I know parents who are fine, upstanding citizens in our community who have children in high school who are absolutely struggling trying to keep their grade and not fail absolutely every subject in high school. It's not that the parents aren't trying. I talk to many of my neighbours, as you do. Sometimes a child is just not able to cut it. The reasons are many. Sometimes they're very awful reasons, such as physical abuse at home, where the child is not able to cope with what's happening in education because he's—

*Interjections.*

**Mr. Bisson:** Can I get you guys to carry on that conversation in maybe the other corner of the House? Thank you.

**The Acting Speaker:** I'll help. I would ask that the members who are around the member for Timmins—James Bay give him an opportunity to speak so I can hear him. I'll return to the member for Timmins—James Bay.

**Mr. Bisson:** I was about to join in the conversation, because they were talking about what's happening in Caledonia. I have a great interest, and I was sort of listening to what you were saying. So I ask if you're going to do that, just do it over there. I accept that that's an important issue.

Anyway, I was saying that for a number of reasons children at times end up dropping out of school because

they're not able to cope with what is going on in their own lives. We need to take that into consideration and say to those young kids, because they've dropped out of school, for whatever reason—sometimes a child drops out because of something awful happening in their life. It might be physical or sexual or mental abuse. It might be that the child is unable to cope with the socializing that happens in high school. We all know; we were in high school, most of us, and some of us may have experienced the awful difficulty that some children have in coping interpersonally with other children and in finding their place. They feel as if they're the odd duck out. For all kinds of reasons, people at one point give up.

**2050**

For us to say as a Legislature, "The way we're going to stop you from dropping out is by saying you're not going to get your driver's licence," I think is a bit beyond the pale, because it might be the only thing that allows them to get employment. What do we do if a 17-year-old young woman or man drops out of school and decides that they want to go into the workforce? We've done everything we could to keep them in and the person decides to go. Do we say, "I'm sorry, you can't get a driver's licence, so therefore you can't get the means to transport yourself to and from work"?

I remember my first full-time job when I came out of the armed forces. I was older at that point. I worked at a mine that was about 100 kilometres out of the city of Timmins. If I couldn't drive, I couldn't work. It was as simple as that. That was the only job I could get at the time, working at Johns-Manville, at the Penhorwood mine, as an apprentice millwright.

My point is, if we want to keep kids in school, we have to find ways to support them in that endeavour. I think we do that by supporting parents. We do a lot of that already. We shouldn't beat ourselves over the head, because I think the province of Ontario is a fairly good example of some of the things we do well in order to support parents to keep their kids at school. We need to support teachers and principals and school boards so that they can do what they need to do in order to support keeping kids in schools. By and large, we've done a lot of good work. I look at a good friend, a guy who was quite influential with a lot of young people in our community, Marcel Camirand, who works specifically in a program to pick up these kids when they've dropped out of school and bring them back in when they're 16, 17, 18 or 19 years old. We had a lot of success. We gave the school board the money and the means to bring these kids back into the school and to adapt the education experience to one that they can relate to.

Some kids at 16 years old, for whatever reason—and I think that was my situation. I couldn't relate to school in the same way that others did because I didn't find it challenging. Most people know me. I don't consider myself uneducated, I don't consider myself unable to learn, but when I was in high school, man, I wasn't interested. The teaching method, the experience I was having at school as far as what they were challenging us



with when it came to education, I found really boring. The only things I found semi-interesting were mathematics, shop and history. They're the only things I found of some interest, but the rest of it was quite a bit of a bore for me. So when I was barely 17 years old, I decided to drop out of high school and join the armed forces. Are you saying to a young person like me, who decided I want to serve my country—at the time, rightly, wrongly, for whatever reason, I decided to do that—that somehow or other I shouldn't get a driver's licence because I decided to join the armed forces? The law federally says I can join the armed forces when I'm 17 years old. Are we going to say provincially that because this young man or woman has decided to drop out of high school to join the armed forces to do whatever, they can't have a driver's licence? We've got to look at the reality of what happens out there.

*Interjection.*

**Mr. Bisson:** Well, it's the reality. We have to look at the reality of why kids drop out.

So what do we need to do? It's one thing for me to stand in this House and criticize the government for what I think is a wrong-headed direction about how we keep kids in school. I wholeheartedly disagree that it's by a punitive way of saying, "You're going to stay in school or else you lose your driver's licence." So let me take the last part of my speech to talk about what I think we need to be doing to keep kids in school.

I talked about Marcel Camirand as a good example, and there are others in other school boards in my riding who do the same thing. We need to tailor education so it fits people. We can't have a cookie-cutter approach to education that says, "Every child has got to fit inside this mould. All the children who go to high school, in grades 10, 11, 12, are going to have to fit here or else there's nowhere for them." We're going to lose kids if we do that. I think we have to be adaptive.

I know my good friend the member from Brant would understand. He was an educator. We need to find ways of challenging kids so that the education experience is fulfilling, rewarding and interesting so that they stay. We do some of that now, but we need to do a better job of it. We have to say to young people, like I was when I was in high school, "All right, if this experience doesn't work for you, what does?" Do you know what it was for me? I was really good at learning things on my own and reading. I remember when I was taking English in primary school I never used to pay attention to the English class. The teacher would go to the front and do the spelling stuff on the blackboard. I would sit there. I wasn't paying any attention. I was looking out the window. Until one teacher came up to me—and this is the beauty of good educators—and said, "Gilles, how come you can't pay attention?" I said, "I find it boring." She brought reading labs in. I excelled and advanced above my peers by working on the independent reading labs because that's the way that I was able to learn.

We need to recognize in the education system that not every kid learns the same way, so for kids in both pri-

mary and secondary school, we have to ask, how can we better serve those young persons so that they're able to learn in a way that makes sense for them? Others, for example, are probably interested in doing things more along the lines of non-academic study as far as the goal of going to university and getting a master's or a PhD. Other people might say, "I'd love to be an electrician," "I'd love to be a truck driver," "I'd love to be a municipal sanitary worker," or whatever it might be. What's wrong with that? We need those people. They're the ones who make our communities work. There's nothing wrong with those jobs. They pay fairly well and they're fairly technical nowadays. Imagine a water plant operator—the math, physics, biology, chemistry, the science—all the things you need to know to run a water plant.

You've got young people, 15 or 16 years old, when they're hitting high school, saying, "Hey, man, this ain't for me. I don't want to go off to do any fancy-dancy education. I know what I want to do." And some kids do know what they want to do, and when they say, "I want to move on to some skilled trade or semi-professional trade," we need to develop the programs to support those kids. We're terrible in Ontario and Canada in dealing with apprenticeship training. Why is apprenticeship training something that's done basically in the workplace only when the person is 20, 30 or 40 years old?

We should be allowing children in high school to start streaming themselves—yes, I say "streaming" themselves; that's their choice—toward getting into a skilled trade. For example, I knew what I wanted to do when I was in high school. I wanted to serve in the armed forces, because I grew up in a family where my father and my uncles all served in the war in one capacity or another. I grew up on the stories. It was fascinating to me, and I wanted to see what that experience was all about. I went out and did it. But when I was in high school, I knew I wanted to be an electrician. Funny, right? I also knew I wanted to be a politician, but I figured I had to work a little bit before getting into that. Another story, another day.

I knew what I wanted to do. I wanted to either go into electronics or electricity, because that's what interested me. I was fascinated by the mathematics of the trade and I was fascinated by the theory of the trade. I knew what I wanted to do, but I had no ability to apprentice and stream myself into an education that would get me to my trade. Instead, they gave me a whack of stuff that I wasn't interested in when I was 16 years old, so I dropped out. If we don't properly support kids at the primary and high school level, decide how we better serve them, they're going to drop out. So put in place the building blocks that are necessary to allow kids to stay in school of their own volition.

Here's the kicker—and my good friend Ms. Wynne will know this because she comes out of education—we can spend all the money in the world and we can design all the best programs in the world, and you're still going to get kids who will drop out. What do you do with them? That's the tough spot. Do we say to them, "We're



going to withdraw your driver's licence"? I say, not. I think there are children, or young adults at that age, who are going to drop out of school for a host of reasons which I talked about before. What do we do for them? In some cases, it might be an issue of counselling.

My youngest daughter works in mental health. She works for the Canadian Mental Health Association. Nathalie is, as I am, very interested in politics, and we get a lot of discussions going. Over the past little while, we've been talking about the percentage of people in our society who have some form of mental health disorder. It's scary. About 25% of our society suffers from some sort of mental disorder. It might be depression. It might be varying forms of psychoses. It might be early stages of schizophrenia. It might be a number of things. Not everybody is as endowed and lucky as we are, to have grown up and come out the other end with our heads screwed on straight and able to think for ourselves. There are people who, because of what happens to them—and we don't understand, quite frankly, what happens to the human brain—are not able to make good decisions. What do you do with people like that?

My own sister is schizophrenic. I love Louise a lot. She's 54 years old. She's a wonderful woman, but she's schizophrenic. When she was younger, when she was about 14 or 15, we saw those signs, and we didn't know what to do. It wasn't until much later in life, until it manifested itself in some pretty bad experiences, that we finally figured out what it was, and through the medical community and organizations like the mental health association, we started providing the support and the kind of programming and care that she needed so she is now able to live a very good life. But she had a lot of very bad years, and the family had a lot of bad years with her.

2100

Louise actually did finish high school. She was one of those who was quite brilliant. I think that's the case with a lot of people who suffer schizophrenia. But my point is that mental health problems in children may not manifest themselves in the way that people think. You may look normal, you may look very together, but if you're a young person suffering with a mental health disorder, it is not going to be easy for you to graduate high school.

What do you do if a young child has dyslexia and is not able to read? As a matter of fact, I was talking to one young person in my constituency office last month, and the parents came in because they're trying to deal with this. The young guy is in grade 11—you're what, 16, 17 at the time—and can barely read and write. He has severe dyslexia. The kid is just not passing anything in high school. The argument those parents were making to me was, "My child wants to stay in school, he wants to do well, but doesn't have the capacity to do it." What they wanted to know is, how can they arrange for him to graduate—he actually was in grade 12, because they were trying to figure out how he can graduate. It's kind of hard if he hasn't passed any of the subjects.

What do you do with children like that? Do you withdraw the driver's licence because a child suffers from

dyslexia or some form of mental disorder? You can't do these things.

I just say to the government, I give you some marks for trying to do something. I don't for one second stand in the House here and say, "Oh, you're a bunch of no-good-for-nothings." Every government of every stripe tries to do the right thing in the best way they know how. But I'm just saying to you, this is really a step in the wrong direction. If we want to encourage kids to stay in school, we've got to do the things that are going to encourage them to stay in school by providing the types of supports they need in order to do it, and recognizing that in the end some kids aren't going to make it.

Does it mean to say we give up? Absolutely not. We need to look at the core reasons of why. I talked about the mental health issue as just one. There are many others. I know other people in this House will be able to speak to that to a greater degree.

That was the contribution I wanted to make in this particular debate. I encourage the government members to think about this. I would imagine the government majority will carry this at second reading. I think we should let this thing go to committee and die an actual death where it should. This is not a bill that, quite frankly, we should be taking anywhere past the second reading debate just to see how people think.

If we really are serious about dealing with this, and I know you are—all the government members and opposition members come here, and we're well-intentioned. We try to do the right thing. We may approach different issues from different perspectives, but we're all trying to get to the same place. I just implore you, don't do this. This is regressive. I think a lot of children could be harmed by way of this legislation.

**The Acting Speaker:** Questions and comments?

**Ms. Kathleen O. Wynne (Don Valley West):** Thank you, Mr. Speaker—

**Mr. Bisson:** Hold it. Hang on. I didn't knock the Tories. I forgot.

**Ms. Wynne:** The member for Timmins-James Bay raises a lot of interesting points and makes our argument. The member for Timmins-James Bay has made the argument for why we need this legislation and the programs that support this legislation, the policy that backs up this legislation.

What we're doing is exactly what he has called for: tailor-making education, making programs and possibilities of programs and combinations of programs that will help the very students that the member was talking about. We are doing a number of things. We're allowing students to group together some of their technical programs and begin to—I'm not going to use the word "stream"; he used the word "stream"—specialize in particular areas, so in the construction sector, in the hospitality sector, in the information technology and health care, there are programs, there are courses within the high school curriculum that students can now take, and they can group them together. What that does is it



signals to the employer or to the college or the university that that student has a certain amount of expertise.

That's a way of customizing education. We're allowing students to count two more co-op credits as part of their mandatory courses. That allows kids to broaden those mandatory courses.

There are exemptions. For students who are in extreme circumstances or are ill, where there are mitigating circumstances, this legislation allows for exemptions around the penalties.

I think it's important that you look at the aspects of the legislation and the policies we are putting in place that are actually about providing programs for kids who, like you, the member for Timmins-James Bay, might not have wanted to stay in school; or even if they leave, allowing them to come back in a way that will make them want to stay.

**Mr. Barrett:** I should explain to the member from Timmins-James Bay that we were speaking about Caledonia and James Bay. It was relevant for your presentation. We didn't want to take away from that. I received some very good advice with respect to Six Nations from the member for Timmins-James Bay. He knows of what he speaks.

I don't think the McGuinty licence cancellation program would work very well at Six Nations or at New Credit or at Attawapiskat or at Moose Factory or at Moosonee. In this case, I think we would see different rules for different peoples.

If this government takes away a licence, it does sentence people to sit at home, and it's pretty difficult for some people to get to school without a driver's licence. I don't think we're seeing legislation here to take away a snowmobile licence or the use of an ATV or a bicycle. We're not talking about taking horses away from Mennonite young people. We're not hearing any discussion of taking a TTC pass away from a Toronto student and limiting their mobility. Thankfully, with this legislation, in contrast to other legislation from this government, they aren't talking about cancelling somebody's hunting or fishing licence, something that has nothing to do with the particular piece of legislation that was implemented at that time.

To take away a young person's driver's licence at Six Nations I feel is laughable. That's laughable like the situation on April 20 where a number of Six Nations people were arrested—they were caught—and taken to court. They were let out again. It's laughable. Six Nations people there refer to that as catch-and-release.

**Mrs. Van Bommel:** I want to comment on the remarks by the member for Timmins-James Bay. He talked about people having different ways of learning, and I absolutely agree. I have five children, and all five of them have had different combinations of ways to learn.

As a government, we recognize that there are different ways to learn so we do offer options. One of the things we've done is to offer our rural lighthouse program. I was really pleased when we brought that one out because we came forward with a program that actually re-

introduced agriculture and horticulture back into the curriculum. As a young student myself, there was the option in a rural community to have that, and then we lost it. I was really glad to see it come back into our communities. In particular, in my riding we have an école secondaire catholique in Pain Court. I apologize for my French; it's probably more Dutch than it is French. But the program is called *De la terre à la table*—From the Soil to the Table—and it is talking to students who are interested in agriculture. If you know Pain Court, you know it is in the middle of Kent county in some of the richest soils we have in the province. A lot of students who attend that high school are farmers, and they learn things they can take back to those farms and make their operations on those farms better. We address that interest. We take that interest seriously, and we recognize that not everybody learns on an academic level. Some want technological and trades types of training and co-op programs, and we do that through the rural lighthouse program. We recognize the differences in styles of learning.

**Mr. Yakabuski:** When the debate is going on in this House and the Liberal government doesn't like the tenor of the way things are going somewhat, you get to hear it on this side of the House. The sanctimonious drivell starts to drip and just flow across the aisle here. They stand there and say things like, "Our kids" and "Why are they against the children?" and this and that. It's just such a load of crap. They would like to paint everybody else who doesn't agree with them as somehow being against children getting an education. How ridiculous is that? How utterly, absolutely and stupidly ridiculous is that? It's hardly worth comment.

**2110**

No one in this House suggests for a moment that children shouldn't get every bit of education that they have an opportunity to get. However, the steps you're willing to take to enter George Orwell's brave new world of 1984 to force people to do something that is absolutely against their will—that's what separates us. This government believes that if you're not following their socially engineered brave new world, they're going to take your driver's licence. That's not the way you keep kids in school. You make what's happening in those classrooms relevant, you make it exciting and you make it attractive. You make them want to be there. That's how you keep kids in school. If there's something there that is drawing people, they'll be there with bells on, enjoying every minute of it.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes to reply.

**Mr. Bisson:** I should get three minutes because I left one on the clock.

Anyway, I didn't once attack the Tories. What's wrong with me? I'm slipping, Mr. Runciman. I'll do that later.

I just say to my good friend the member from Don Valley West, who said I made the argument for you, come on, really. I said in my speech that every govern-



ment has put programs and initiatives in place to assist school boards to keep kids in school. My point was that it doesn't matter if you put all those programs in place, do the best you can and there's no more to be done: At the end of the day, you will still have children drop out of school for a whole host of other reasons. I talked about mental illness and others, abuse at home—whatever it might be. What do you do? You penalize those people. It's like I was saying to my friend in the seat next to me. It's a little bit like saying that if a worker decides that he or she is going to drop out of the workplace and drop out of the economy, we're going to penalize them by taking away their driver's licence. We would never do something like that. There is a question of choice.

The member from Haldimand–Norfolk–Brant raises a point that I am totally remiss for not having raised, and that is the effect of this on First Nations. Listen, I want to be really straight here. In communities that I represent on James Bay, there's a very high percentage of children who don't graduate, who drop out of school. Never mind grade 9; we're talking grade 7, grade 8. The reasons for that are many. We're talking about 20 or 25 kids per household. How does that child study? How does that child have any normalcy in the family when you've got all those people tracking in and out of the house at all hours of the night? They're not able to study. Do we say to those children, "Too bad, so sad. We haven't provided the reserve system with adequate housing. It's not our fault as a province. We're just going to take away your ability to have a driver's licence," and pull that kid out of the economy altogether? I think that has some serious repercussions.

I just say to members, let this thing go to committee; let it die a natural death. I think we're all smart enough to know that this is a really bad idea. Quite frankly, I'm surprised it's ever seen the light of day.

**The Acting Speaker:** I wish to inform the House that we've now passed the seven-hour threshold. For the remainder of this debate at second reading, the speeches will be 10 minutes in length.

**Mr. Delaney:** It has been a long evening. I say to people who are watching that if you're tuning in, perhaps you've been playing roulette with the remote, perhaps you're not a World Cup fan, and you certainly know that there's no Hurricanes-Oilers game on tonight, or perhaps—just perhaps—you're interested in Bill 52, an act that covers learning to age 18.

**Mr. Yakabuski:** On a point of order, Mr. Speaker: In keeping with the standing orders, could I ask that the member speak to the bill?

**The Acting Speaker:** The member for Mississauga West has the floor.

**Mr. Delaney:** I guess my friend owes me a few of those.

Let's be optimistic. You're probably watching this channel because you're a student. Maybe you're watching to see how this bill is going to affect you or your friends. Maybe you're an employer. Maybe it pains you to see young men and women drop out of high school,

maybe ending up on social assistance, living a life with fairly little direction and even less hope. Maybe you're a hard-working student, hitting the books every night. You want to do something with your life, but some of the kids are telling you that you're a sucker, that you can drop out, get yourself some wheels, live the good life: "Life will be good. Drop out." It's all too common. As recently as the fall of 2003, one in three Ontario high school students didn't finish. One in three didn't get their high school diploma, didn't give themselves a future.

Bill 52 says that Ontario's boys and girls will grow into young men and women as they develop the habit of lifelong learning. What does lifelong learning mean? Men and women who qualify for the professions acquire the habit. They arrange their life to spend some 10 or 15 days each year advancing their skills. Mechanics keep their skills up to date; so do workers in the trades. My colleague from Timmins–James Bay was telling his story about joining the army. When you join the army, one of the first things they teach you is a trade. Self-employed people spend their money to keep themselves up to date.

Bill 52 is about starting that good habit of lifelong learning. It does it by saying that students will learn until age 18. But only in the school environment, as some opposition members suggest in the full flight of rhetorical flourish? Certainly not. Co-op learning counts. Apprenticeships count. They're most certainly learning experiences. Community support programs count. Equivalent learning that falls outside the traditional school instruction counts.

The members who spread their arms and wonder and huff and puff about the school environment miss Bill 52's salient point. We worry that sometimes the sustained gusts of superheated air may pick some members right up off the floor and float them across the aisle into perhaps the waiting arms of one of the government members. But we digress.

We are making some progress. Ontario's graduation rate is up from 68% under our education-bashing predecessors, who stumped for private schools as they starved the world's oldest and best public education system for funds. Ontario's graduation rate is now 71%. From merely two out of three, Ontario is now graduating better than seven out of 10 from secondary school. Last year, 6,000 more Ontario students graduated from secondary school because our graduation rate climbed just three percentage points. New co-op, apprenticeship and community support programs will help some 90,000 more young adults graduate in the next few years. Contrast this with the government that Ontarians spurned almost three years ago. That government left 45,000 students each year without a secondary school diploma.

Out there, perhaps there is someone who's working hard and paying his or her taxes, who shrugs his shoulders and says, "So what?" Well, so what? Let's look at what. Ontario's unemployment rate for high school drop-outs is almost double the average. High school drop-outs are much more likely to end up on social assistance. In our prison population, literacy rates are



notoriously low. "So what?" you might say. What Ontario replies is that if you work hard, keep your skills current and pay your taxes, then you want your sons and daughters and their friends to be self-sufficient, to be self-supporting, to lead independent lives, to rise above mere survival and to pay their share of taxes too.

To students, that's why learning is so important. If you develop the habit by 18, you'll likely keep it for the rest of your life. You're going to need that lifelong learning habit, because in the next two decades 40% of new jobs are going to be in skilled trades and technologies, in the good jobs of tomorrow. You don't need your skills to get obsolete, because your skills can get obsolete and mouldy almost as fast as last week's loaf of bread.

But don't just take my word for it. Listen to this quote from a student from St. Augustine Secondary School. This student says, and I'm quoting from the *Brampton Guardian*, "I'm looking at the armed forces. The armed forces provide 107 different job opportunities. They pay for college, provide top-notch career training and have good pay and health coverage." That's from a 20-year-old. That's from somebody who gets it. This government agrees with that youth. This government agrees with today's youth, and the goal of this government is to cut the dropout rate to half of what it is now over the next five years. That would mean 90,000 more students graduating.

2120

Nobody has questioned high school dropout rates since the 1950s, not since the Edsel was a brand new car, not since Elvis topped the charts, not since the Beatles were still the Quarrymen singing for their supper in smoky clubs in Liverpool and Germany. A buck an hour was a decent wage, and if houses came with a garage back then, it was only for a single car. That's how long it has been since somebody questioned whether or not a student should drop out at age 16.

I say to my esteemed colleagues in the party that Ontarians tossed out back in 2003 and to the party that Ontarians graciously relieved of the accidental burden of government in 1995 that the 1950s are just so 20th century. This is the 21st century. This is the best place in the world to get a job making a car. You've got to keep your skills up to date if you want to keep those good jobs, if you get them.

This is 21st-century Ontario. Hollywood comes here when they need technologists to do computer-generated animation. That's not a university course. That's a course that you need high school graduation for and you need a real aptitude with computers. Those jobs are all about continuous learning. What you learn, where you learn it, how you learn it and when you learn it are flexible, but learn it and keep learning. Learning to keep learning is a must.

To employers who are wondering who is going to replace their aging workforce, Ontario says Bill 52 is about finding you another 90,000 young, educated workers to choose from.

To the parents of today's high school students, I echo the sentiments of my friend and colleague from Perth-Middlesex and I say that while some parties may have their heads in mid-20th century sand, we're not one of them. Your sons and daughters are going to have the best start, the best chance and the best support our province can provide. Others might write off your children. They might write them off as road kill on the path to success, but this is a government that won't.

To students: If you stay in school, you're no sucker. If you stay in school, you're doing the right thing. If you stay in school, the future is yours. And the future is yours if you develop the habit of lifelong learning. Lifelong learning doesn't mean hitting the books in high school. Lifelong learning may mean working with your hands. Lifelong learning may mean working with wood. Lifelong working may be learning how to fix a car. Lifelong learning may be doing a trade in the building industry. That's what lifelong learning is.

Lifelong learning means you've got some structure. Lifelong learning means that you're investing in yourself. That's what Bill 52 is saying. Bill 52 is saying, do it until the age of 18. Bill 52 says that at 18, if you're old enough to vote, if you're old enough to join the armed forces, we think that as an adult you can make your decisions, but until the age of 18, we're saying, please, focus on learning. It may not necessarily be in a classroom, it may not mean looking at a blackboard and it may not mean listening to a high school teacher, though we hope it will. But learn the habit of keeping your skills up to date, learn to enjoy the exercise of learning, and the future is well and truly yours. Thank you very much.

**The Acting Speaker:** Questions and comments?

**Mr. Miller:** It's my pleasure to add some comments to the speech from the member from Mississauga West. I'm pleased he was able to get through his whole speech this evening. I know he was doing his report on the use of technology in the Legislature yesterday, I guess it was, and he got kind of cut off by the Speaker on that.

I don't disagree with a lot of the points that the member was making in his speech. He talked about the good things to do with more apprenticeships, with co-op learning—those are all good things. He gave us a history lesson as well. But I say that this legislation, Bill 52, which forces kids to stay in school until they're 18, is not practical and has not been well thought out.

When it was first introduced, I listened to a CBC program. They had three different students on that radio program and asked them how they felt about the legislation. They were all kids who had all dropped out of school, gained some real-world experience and then went back to finish their education and were doing very well. They felt it's just not practical, that it may do more harm than good, even though it may be well-meaning.

In many cases, there are kids who just aren't ready to learn, for a variety of different issues. In many cases, they need that real-world experience to make them realize that the real world is fairly tough and that maybe getting more education and providing themselves with



the skills and ability to earn more and gain more satisfaction from a job is a worthwhile thing to do.

As well-meaning as this bill might be, it is my feeling that it may do more harm than good, particularly in rural areas where, when you take a licence away, you penalize the employer and take away the ability of a young person to earn some money.

**Mr. Bisson:** To the member from—

*Interjection.*

**Mr. Bisson:** Mississauga West. Thank you. As my good friend Mr. Miller said, from whatever riding he's from—

**Mr. Yakabuski:** Parry Sound–Muskoka.

**Mr. Bisson:** Parry Sound–Muskoka. I'm sorry. I will never, I promise, run for Speaker, because I won't remember all the riding names. I've been here for 16 years and still can't remember.

**Mr. Yakabuski:** I will never, I promise, vote for you for Speaker.

**Mr. Bisson:** Oh, good, because I don't want the job.

Anyway, none of us disagrees in this House. That was the whole purpose of what I was saying about the goal of trying to keep kids in schools. Much of what you talked about in terms of the need to invest properly in continuing education and lifelong learning—that's easy as pie. We all accept that. Every government has made investments in that direction in order not only to help keep people in school but to recognize the value of education and the worth of it to our economy.

But I really fail to see how pulling somebody's driver's licence at age 16 or 17 or preventing somebody from having a driver's licence is a good, progressive piece of legislation from the party that purports itself to be—as he said, “Oh, we're hip and we're the only ones whose heads aren't in the sand.” That's the kind of stuff they used to talk about in the olden days, the kind of punitive measures you're trying to come forward with today. A modern government and a government that's on the cutting edge wouldn't be looking the punitive measure of holding back a driver's licence, because they'd recognize that there are many people in our society who, for a whole host of reasons, may not be able to complete high school. I'm not saying that's good, but that's a reality.

What about children with mental health disorders? What about children who are suffering various forms of abuse at home and are not able to study? What about children who are dyslexic, who have learning disabilities, who may not be able to get a high school diploma? Many kids drop out of high school for many reasons. We need to try to identify what those reasons are, deal with them and support them in whatever they do in the future. Pulling their driver's licence is punitive. I think it's a sign of the past.

**The Acting Speaker:** Questions and comments? The Minister of Training, Colleges and Universities.

**Hon. Mrs. Chambers:** I would particularly like to comment on the remarks of the member from Timmins–James Bay. I was struck by his passion and I agree with

most of what he has to say, but I think it's wrong to place as much emphasis as has been placed in this Legislature on the matter of the driver's licence. I'm not persuaded that that is the right incentive or penalty. But I would encourage you to take that thought to committee to make sure this does not die a natural death simply because of that particular suggestion.

I agree, for example, that kids need different opportunities that appeal to their particular interests. I agree with very much of what the member from Timmins–James Bay had to say about how kids learn differently and what kinds of supports they really do need to be successful. He made reference to apprenticeship training in this province being something that's typically available to 20-, 30- and 40-year-olds. I agree that that's too late, but that's exactly why we have well more than 13,000 high school students involved in the Ontario youth apprenticeship program as we speak. Kids in those programs love what they are doing and will excel at what they enjoy doing.

What we do know is that kids who do not complete a high school education are depriving themselves of opportunities to be successful, because the opportunities for a young person who has not completed a high school education are indeed very, very limited.

I would urge the member from Timmins–James Bay, who is clearly very passionate about this, to work on other solutions along with this government.

**The Acting Speaker:** I apologize to the minister. I should have recognized her as the Minister of Children and Youth Services.

There is time for one last question and comment.

**Mr. Runciman:** It's not surprising that the members from Etobicoke or other urban areas don't understand this issue. I think it's reflective of the views of this government with respect to rural and small-town Ontario issues. They simply do not understand those concerns so they tend not to be reflected in legislation developed by the Liberal government.

Most of us were hoping that, with the disappearance of Mr. Kennedy to greener financial pastures, this legislation would die on the order paper. I think my friend from James Bay mentioned that as well. We just couldn't believe that you were going to pursue this, but indeed you are. So we hope that after it receives second reading it will disappear into the ether of legislation that was ill-thought-out and should not have reached the stage it has already reached.

One of the things that hasn't been referenced tonight, and I think we should talk a bit about it, is home-schoolers. I've certainly had some home-schoolers come to my constituency office very concerned about this legislation if it becomes law, in terms of what rights they have and what recognition there is for home-schooling. I happen to know a lot of people who have home-schooled their kids. My brother and his wife home-schooled their kids, and they're now in university. They home-schooled them through the primary grades and high school, and they've done extremely well in college and university. To leave them outside of this and not address those kinds of



issues is negligence of the highest order. We should be exempting home-schoolers, as one example, or in some way, shape or form recognizing that the parents' word should be accepted when we're talking about a driver's licence or employment. Those are issues that have to be addressed when this bill goes to committee.

**The Acting Speaker:** The member for Mississauga West has two minutes to reply.

**Mr. Delaney:** Thank you very much, Speaker, and not merely for the chance to reply but for the last word in the debate.

I say to my friends from Parry Sound–Muskoka and Leeds–Grenville that I certainly don't agree with trying to make this an urban-rural division; I don't agree with a home school as opposed to a public school division, and neither does Ontario. You're not going to gain that real-world experience, I say to my friend from Parry Sound–Muskoka, unless you've got an education, unless you've shown that you've acquired the ability to learn.

To my friend from Timmins–James Bay, who addressed the issue of the driver's licence, Rhode Island, California and West Virginia have found that losing your

driver's licence actually does work. In West Virginia, 493 out of 589 students who lost their licences returned to school. Tennessee found the same. Tennessee and West Virginia: Ontarians cannot be so proud as not to absorb the best practices of jurisdictions such as these in the United States.

This is a balanced bill, it's a progressive bill. It's the first time in more than 50 years that we've looked at the assumption that children should be able to leave school at age 16. It's not the 19th century. It's not an agrarian economy, it's a knowledge economy. It isn't so much how strong you are, it's how smart you are and how willing you are to learn. This is what Bill 52 focuses on; this is the real value of Bill 52. This is what Bill 52 is going to do to help make Ontario stronger: by making sure that we have a workplace that can meet the challenges and the jobs and the opportunities of tomorrow. That's why Bill 52 is a bill that should be supported, and that's why I'll vote for it.

**The Acting Speaker:** It being past 9:30 of the clock, this House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 2134.*

## CONTENTS

**Tuesday 13 June 2006**

### SECOND READINGS

#### **Education Statute Law Amendment**

##### **Act (Learning to Age 18), 2006,**

*Bill 52, Ms. Papatello*

Mr. Marchese ..... 4576, 4585

Mrs. Sandals..... 4584

Mr. Miller..... 4584, 4598

Mr. Bisson.....4584, 4587, 4591  
4592, 4596, 4599

Mr. Flynn ..... 4585

Mr. McNeely..... 4585, 4588

Mr. Yakabuski..... 4587, 4596

Mr. Wilkinson..... 4588

Mr. Runciman ..... 4588, 4599

Ms. MacLeod ..... 4588, 4592

Mrs. Dombrowsky..... 4591

Mr. Barrett..... 4591, 4596

Mrs. Van Bommel..... 4591, 4596

Ms. Wynne ..... 4595

Mr. Delaney..... 4597, 4600

Mrs. Chambers ..... 4599

Debate deemed adjourned ..... 4600

## TABLE DES MATIÈRES

**Mardi 13 juin 2006**

### DEUXIÈME LECTURE

#### **Loi de 2006 modifiant des lois**

##### **en ce qui concerne l'éducation**

##### **(apprentissage jusqu'à l'âge**

##### **de 18 ans), projet de loi 52,**

*M<sup>me</sup> Papatello*

Débat présumé ajourné..... 4600





No. 90A

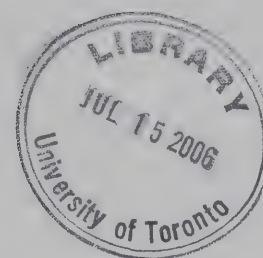
N° 90A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**Second Session, 38<sup>th</sup> Parliament**Assemblée législative  
de l'Ontario**Deuxième session, 38<sup>e</sup> législature**Official Report  
of Debates  
(Hansard)****Journal  
des débats  
(Hansard)**

Wednesday 14 June 2006

Mercredi 14 juin 2006

Speaker  
Honourable Michael A. BrownPrésident  
L'honorable Michael A. BrownClerk  
Claude L. DesRosiersGreffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 14 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 14 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### NATIVE LAND DISPUTE

**Mr. Norm Miller (Parry Sound–Muskoka):** One hundred and six days after protesters occupied a residential building site in Caledonia, and the McGuinty government is still showing no leadership. By the government's inaction, this situation has been allowed to go on for far too long. The McGuinty government maintains that the conflict centres on an outstanding land claim. The government is trying to shift full responsibility to the federal government rather than showing real leadership.

Public sources and documents show the Six Nations council agreed to surrender the land on January 18, 1841, on the agreement the government would sell it and invest the money for them. On May 15, the land currently occupied was sold to George Ryckman and a crown deed was issued to him. The same land was purchased by Henco Industries in 1992 and registered on title in July 2005.

There is a lawsuit by the Six Nations with regard to the land; however, the McGuinty government is on the record as saying, "The dispute really is an accounting claim, by and large." Six Nations council agreed on August 20, 2004, to discussions with Canada and Ontario to explore reaching an out-of-court settlement as an alternative to litigation. None of this relates to an active land claim.

What kind of precedent is the McGuinty government setting for all of Ontario by its taking the position that any existing land treaty or agreement can be reopened or ignored?

#### DENNIS GUDBRANSON

**Mr. Phil McNeely (Ottawa–Orléans):** I rise in the House today to commend a courageous young boy who has become an inspiration to everyone around him. Anyone who has been exposed to or who has gone through treatment for cancer themselves will understand the magnitude of eight-year-old Dennis Gudbranson's character.

Dennis Gudbranson was diagnosed with acute myeloid leukemia a little over two years ago. He underwent several weeks of chemotherapy and radiation treatment at

CHEO before the specialists realized that nothing less than a bone marrow transplant would save Dennis's life.

After waiting 10 weeks for a suitable donor, a match was found and Dennis underwent this serious procedure with the strength and courage that one would not normally associate with a child so young. Merely months later, Dennis and his mother Donna Leith-Gudbranson joined the Tour Nortel 2006 in support of the Children's Hospital of Eastern Ontario. He and several other young cancer survivors showed their enthusiasm as representatives of the McDonald's CHEO Dream Team.

Dennis was too sick to participate in the tour last year, but this year, according to his mother, Dennis has been chomping at the bit to participate ever since his transplant. Dennis's enthusiasm does not stop there. Mrs. Leith-Gudbranson says she is encouraging him to do only what he wants to do. According to her, he wants to do everything.

Since his transplant, Dennis has returned to school. He has even been practising with the Blackburn Stingers, a junior hockey team in Orléans.

I would like to take this opportunity to congratulate Dennis for his courage and enthusiasm while battling a sickness that could have taken away his spirit, if not his life. Dennis is an inspiration to us all.

#### STREET RACING

**Mr. Frank Klees (Oak Ridges):** On May 27, 2006, Rob and Lisa Manchester lost their lives in a crash that left their seven-year-old daughter Katie an orphan. One week later, on June 3, Allison Hickey and Mark Radman were seriously injured in a reported street race and are today fighting for their lives at Sunnybrook Hospital. And just last night, another street race in Etobicoke left the driver involved in critical condition.

I'm calling on the government today to immediately call Bill 122, the street racing bill, for second and third reading and to move without delay to implement its provisions and send the message that street racing is illegal and dangerous and will not be tolerated in Ontario.

The street racing bill includes provisions that would empower police officers to issue on-the-spot licence suspensions and vehicle impoundment. For those convicted of street racing, the bill provides for fines of up to \$2,000 and six-month jail terms. Furthermore, nitrous oxide systems used by street racers to transform their vehicles into deadly, out-of-control killing machines are banned from public highways.

We cannot legislate responsibility, but as legislators, we do have the responsibility to ensure that our police officers and the justice system have the authority and resources to protect innocent lives and ensure that irresponsible and dangerous actions have the appropriate consequences in law.

#### FOREST INDUSTRY

**Mr. Gilles Bisson (Timmins–James Bay):** Yet again the Minister of Natural Resources, Mr. Ramsay, along with Premier Dalton McGuinty, is pounding salt in the wound of northerners. You would know that last year the Kap survival group, the United Steelworkers of America and others took this government to court on its decision to allow timber companies such as Tembec and Domtar to take wood from local communities to send to large supermills in other parts of northeastern Ontario. That is a policy that all communities don't support. Communities have always said that you have to take into consideration the socio-economic factors when making those decisions.

#### MATALCO

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** I'm absolutely delighted to rise today to acknowledge yet another accomplishment for my riding of Bramalea–Gore–Malton–Springdale. Just last week, MATALCO Inc., owned primarily by the principals of Triple M Metal Inc., celebrated its grand opening.

MATALCO, a company engaged in the remelt and manufacture of aluminum billets, has proven itself a leader in the aluminum extrusion industry. Using advanced technology, it takes difficult-to-recycle materials such as mixed-alloy products and produces a uniform, primary-grade product. Its environmental and energy-efficient processes result in virtually no generated waste, helping to ensure the health and well-being of our environment for generations to come.

Without hesitation, MATALCO is a welcome addition to the Brampton business community. It raises the bar for both environmental and customer care and leads the way in exceptional business practices. I have every confidence that Matalco will continue to thrive as it makes Brampton its new home.

1340

#### NATIVE LAND DISPUTE

**Mr. Tim Hudak (Erie–Lincoln):** Today marks day 107 of the crisis in Caledonia. Dalton McGuinty's weak and ineffective leadership has seemingly led to the rule of law being suspended. The problem, as the people of Caledonia and Six Nations and families and businesses from Dunnville to Mount Hope have learned, is that by not showing strong leadership, a swirl of violence, destruction and reprisal begins. I cannot even imagine

how long it will take for the wounds in these communities to heal.

What is most disturbing is the conclusion that people in Caledonia, Binbrook, Hamilton and Niagara are reaching, if not explicitly then implicitly: The Dalton McGuinty government has sent the signal to the Ontario Provincial Police not to enforce the law in Caledonia.

Today's developments include local neighbours saying they're going to take the law into their own hands because they say they have lost faith in the OPP. According to the Hamilton Spectator online version, the hereditary chiefs are refusing to co-operate with the OPP in apprehending seven aboriginals, six of whom have been charged with last Friday's assaults on an elderly couple, a CH-TV cameraman and the police. One of them is wanted for attempted murder of a police officer.

People also wonder where David Peterson has gone. Maybe he's now gone undercover, trying to help find these wanted individuals, because he has certainly disappeared from the scene.

Sadly, Dalton McGuinty has turned the OPP into the Ontario political police.

#### SCIENCE PROJECTS

**Mrs. Carol Mitchell (Huron–Bruce):** I rise today to congratulate Matthew Underwood from Wingham on his winning science fair project, Superior Soy. This project won the Agriculture and Agri-Food Canada award. It also won the Sponsor's Choice Award at the recent Sci-Tech Queen's Park reception. I hope many of you had the opportunity to see it on display. At the regional level, Matthew's project won the Pfizer Award for Excellence and the Best in Fair Award as well. This is the third year that his projects have made it to the Canada-wide finals.

I also want to congratulate three other students from the riding who received honourable mentions for their projects: Solomon Appavoo and Patrick Kloeze from Goderich for their project called The Next Pandemic, and Brock Hodgins from Wingham for his project called Sleuthy Solutions.

The recent Sci-Tech reception showed us that there's plenty of young talent across the province. I'm very pleased that these students have taken an interest in science and research. Their bright minds are our future. I know this government recognizes the importance of investing in research and innovation. It certainly is encouraging to see such innovative minds, especially when those innovative minds come from the riding of Huron–Bruce.

#### ELDER ABUSE

**Mr. David Zimmer (Willowdale):** Whether it's age discrimination, neglect, harassment, financial exploitation or physical harm, elder abuse is a serious problem. Our government is committed to maintaining safe, strong communities for all Ontarians, including seniors.



I want to take this opportunity to recognize Willowdale's many seniors' advocates whose efforts have made a huge difference in raising awareness about elder abuse in Willowdale and North York.

Last Friday in Willowdale, I was pleased to host an elder abuse awareness seminar with the help of many North York seniors' advocates, among whom were Jane Teasedale, Robert Shank, Andrew Teasedale, Stan Buell, Charles Goeldner, Simon Kim, Bill Steed, Monita Persaud, Bok Sil Shin, Young Lee Ha, Sang Im Kim, Sam Wilks and Jeffrey Cole. The seminar looked at ways we can prevent, recognize and eliminate elder abuse.

I was proud when all parties of this Legislature endorsed my proposal to recognize October 19 as Elder Abuse Awareness Day throughout this province. Inspired by the passion and dedication of these Willowdale and North York seniors' advocates, I'm proud to recognize them and recognize their significant contribution to this issue.

#### KENNETH THOMSON

**Ms. Monique M. Smith (Nipissing):** On Monday of this week, Ontario lost a leader of industry, an amazing philanthropist and a great citizen. When he died, Kenneth Thomson was considered the ninth richest man in the world, but he will be remembered for so much more than that.

As many members of this Legislature know, the Thomson family had a long history in northern Ontario. His father, Roy Thomson, started his newspaper empire in northern Ontario and owned a string of radio stations in the north, including CFCH in North Bay. We recently celebrated 75 years of radio in North Bay, and the Thomson legacy figured prominently in that celebration.

Young Ken Thomson arrived in North Bay with his family when he was only five years old. He spent his childhood in North Bay, and in an interview in 2003, he remembered his life in the Bay as riding bicycles, exploring the woods, fishing for pickerel in the summer and skating on the frozen lake in the winter. He credited these happy childhood memories for his later fascination with Cornelius Kriehoff and the Group of Seven.

It would take much longer than the time provided to list all of his contributions to our province, but his contributions to the art world do stand out for me. An avid art collector, he held one of the largest private collections in the country and recently donated \$70 million to the Art Gallery of Ontario for renovations and donated in trust the bulk of his art collection, roughly 2,000 works of art, to the Art Gallery of Ontario for everyone to enjoy.

Locally, over the last three years, Mr. Thomson visited North Bay and, together with his sister Audrey Campbell, made a \$250,000 donation to the North Bay Hospital Foundation towards the construction of our new hospital, which is scheduled to start in the fall. He noted at the time that it was in memory of his childhood there.

Today we remember a great citizen of Ontario. To his family, we send our condolences, and we want them to know that the community of North Bay remembers a great man, a generous man and a great Ontarian.

#### VISITORS

#### VISITEURS

**The Speaker (Hon. Michael A. Brown):** I would like to welcome to the Speaker's gallery Dr. Maurice Foster and his wife, Jan, who represented the fine riding of Algoma in the House of Commons from 1968 to 1993.

On a point of order.

**M. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** Merci, monsieur le Président. J'aimerais souhaiter la bienvenue aux élèves de la huitième année de l'école Terre des Jeunes d'Alexandria, qui sont avec nous aujourd'hui. Merci aux accompagnateurs, et nous espérons que vous allez aimer votre séjour ici à Toronto.

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** I would like the House to join me in welcoming members of my family to the gallery. This is the first visit for them. I have my sister-in-law, Mary, and brother-in-law, Bill; Ted and Trudy Thuss; René the First, my husband; and visitors from Holland, Gerrit and Edward Van Bommel.

**Mr. Michael Prue (Beaches–East York):** In the same spirit, I would like to introduce Allison Clarke and her friend Wendy, who are winners of the by-design contest to spend a day with Michael Prue. They are here to watch us all.

**The Speaker:** On a point of order. I started something.

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** We wouldn't want to leave out my fine constituency assistant, Ashley Conyngham, who's here from London to observe the fine proceedings. She's over there. Stand up, Ashley.

#### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Ms. Andrea Horwath (Hamilton East):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**The Clerk-at-the-Table (Mr. Todd Decker):** Ms. Horwath from the standing committee on regulations and private bills presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr27, An Act respecting Thunder Bay International Airports Authority Inc.

**The Speaker (Hon. Michael A. Brown):** Shall the report be adopted? Agreed.

## INTRODUCTION OF BILLS

### AUDITOR GENERAL AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT LA LOI SUR LE VÉRIFICATEUR GÉNÉRAL

Mr. Sterling moved first reading of the following bill:  
Bill 129, An Act to amend the Auditor General Act /  
Projet de loi 129, Loi modifiant la Loi sur le vérificateur  
général.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Norman W. Sterling (Lanark–Carleton):** As chair of the public accounts committee for the Legislature, I'm introducing a bill which gives more flexibility to the Legislative Assembly with regard to the appointment of the Auditor General of Ontario. While maintaining a maximum 10-year term for any one individual, this bill allows for interrupted terms and alternate pension arrangements.

By passing this bill, it is our hope that the assembly will be able to convince the most recent auditor to serve as Auditor General past October 4, 2007, the expected date of the next election. This would mean that he would be responsible for the pre-election audit of the 2007-08 provincial budget. The new Parliament elected on October 4, 2007, would choose his successor. I want to assure all members of the Legislature that the members of the public accounts committee, including those from all three parties—the Progressive Conservative Party, the Liberal Party and the NDP—continue to have the utmost respect and confidence in Mr. McCarter. It is my intention too, as soon as the bill has been printed and members have had an opportunity to review it, to ask for unanimous consent for second and third reading without debate.

### SHEENA'S PLACE ACT, 2006

Mr. Marchese moved first reading of the following bill:

Bill Pr29, An Act respecting Sheena's Place.

**The Speaker (Hon. Michael A. Brown):** Shall the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

## MOTIONS

### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House**

**Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, June 14, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Fonseca, Peter	Oraziotti, David
Barrett, Toby	Gerretsen, John	Peters, Steve
Bentley, Christopher	Hardeman, Ernie	Phillips, Gerry
Bradley, James J.	Hoy, Pat	Pupatello, Sandra
Brotten, Laurel C.	Hudak, Tim	Qaadri, Shafiq
Brownell, Jim	Jackson, Cameron	Runciman, Robert W.
Bryant, Michael	Klees, Frank	Ruprecht, Tony
Cansfield, Donna H.	Kular, Kuldip	Sandals, Liz
Chambers, Mary Anne V.	Kwinter, Monte	Scott, Laurie
Craiton, Kim	Lalonde, Jean-Marc	Smith, Monique
Crozier, Bruce	Marsales, Judy	Smitherman, George
Delaney, Bob	Matthews, Deborah	Takhar, Harinder S.
Di Cocco, Caroline	Mauro, Bill	Tory, John
Dombrowsky, Leona	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Watson, Jim
Duncan, Dwight	Miller, Norm	Wilkinson, John
Dunlop, Garfield	Mitchell, Carol	Wynne, Kathleen O.
Elliott, Christine	Mossop, Jennifer F.	Yakubski, John
Flynn, Kevin Daniel	O'Toole, John	Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Horwath, Andrea	Marchese, Rosario	Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 57; the nays are 6.

**The Speaker:** I declare the motion carried.

1400

## STATEMENTS BY THE MINISTRY AND RESPONSES

### STUDENT LITERACY

#### COMPÉTENCES LINGUISTIQUES CHEZ LES ÉLÈVES

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I've had the privilege of rising in this House a number of times recently to tell its members about the McGuinty government's commitment to student success and improved achievement. I'm delighted to be able to rise again today to recognize some concrete results.



Ce matin, l'Office de la qualité et de la responsabilité en éducation a publié les résultats du Test provincial de compétences linguistiques que plus de 180 000 élèves ont passé en mars 2006.

The EQAO reported that the provincial success rate for English-language students increased to 84%, a 9% increase since the test was introduced in 2002. In terms of today's student population, that would mean an additional 13,000 students passed the test.

Quant aux élèves francophones, le taux—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** There's just way too much noise in here. I'm having great difficulty hearing the minister. Could we just take the conversations outside if they need to take place?

Minister of Education.

**Hon. Ms. Pupatello:** They're all excited about the test results, Mr. Speaker.

Quant aux élèves francophones, le taux de succès provincial se situe à 81 %, soit une augmentation de 14 % par rapport à 2002, ou plus de 750 élèves supplémentaires ayant réussi le test.

That's just the start of the good news. In the five years since the test was introduced, Ontario students have made substantial progress. The success rates for boys and girls in both languages have increased substantially, between 8% and 15%; the success rate for students with special needs—this is very important—increased by 15% for English and 21% for French; the success rate for students who speak English as a second language increased by 14%; and, perhaps the most dramatic result since 2002, the success rate for students enrolled in applied English and French courses increased by 21% and 22% respectively, a very special result this year. I think it's clear that the numbers are moving solidly in the right direction.

Et bien qu'il ne s'agisse que d'un des outils utilisés pour surveiller de près les progrès des élèves, j'estime qu'il prouve que les élèves profitent de l'engagement pris par le gouvernement McGuinty envers un système solide d'éducation financé par les deniers publics et du soutien d'enseignantes et d'enseignants dévoués.

On behalf of the Ontario government, I want to thank our teachers, offer my congratulations to all the students who were successful on the test and give my encouragement for future success to students who weren't.

Nous avons fixé des normes élevées pour nos élèves. Nous voulons que 85 % d'entre eux obtiennent leur diplôme d'ici 2010, alors que ce pourcentage n'était que de 68 % à l'arrivée au pouvoir de notre gouvernement.

We want a substantial increase. Our comprehensive student success strategy will allow all students to customize their education based on their individual goals, skills and interests. This strategy includes initiatives to help Ontario students have a successful high school career, such as dedicated student success teachers and board-wide leaders, innovative lighthouse programs, class size limits in key courses, revisions to the grade 9 and 10 applied math curriculum, six new locally de-

veloped compulsory credit courses and expanded co-op programs.

As well, our government has proposed legislation that would keep students learning until age 18 or graduation. We've implemented a strategic high school transition plan for struggling grade 8 and 9 students that includes more teachers, intensive professional development and improved tracking of students and their progress.

Les résultats publiés aujourd'hui nous prouvent que les élèves de l'Ontario bénéficient de cette stratégie et de l'ère nouvelle qui s'est ouverte dans le secteur de l'éducation.

With the end of June fast approaching, I wish our students a very happy and successful summer vacation. I can assure everyone that our education Premier, Dalton McGuinty, ministry staff and I will be hard at work to help our students achieve even greater success in the future.

## SOCIAL ASSISTANCE

### AIDE SOCIALE

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** I am announcing the two most recent steps the McGuinty government has taken to help social assistance recipients get into the workforce and on the path to a brighter future.

En 2004, notre gouvernement a élaboré un plan en vue de rétablir l'intégrité du système d'aide sociale de l'Ontario. Nous avons fait de grands progrès dans ce sens en apportant les changements recommandés par ceux et celles qui connaissent le mieux le système: notre clientèle, notre personnel chargé de cas et nos partenaires communautaires.

Par exemple, nous avons mis en place des prestations transitoires pour les médicaments et les soins dentaires et de la vue à l'intention des bénéficiaires qui quittent l'aide sociale afin d'occuper un emploi. Nous avons rétabli le supplément pour le régime spécial des femmes enceintes bénéficiaires d'aide sociale. Nous avons créé le programme ActionEmplois, un projet pilote innovateur qui a déjà permis d'aider plus de 2 000 bénéficiaires d'aide sociale à trouver un emploi stimulant.

Today, I am pleased to announce that we are removing even more barriers in the social assistance system to help people improve their lives through better education and job opportunities. We are eliminating the counter-productive, quit/fire rules so recipients will no longer be afraid to accept a job for fear of losing financial support if that job does not work out; allowing Ontario Works recipients to have a vehicle worth up to \$10,000 so that they have a reliable mode of transportation to help them get to and from jobs; giving all 16- and 17-year-old Ontario Works recipients, whose assistance was cut off because they dropped out of high school, the opportunity to reapply for assistance if they return to school and get back on the path to success; and allowing dependent



adults who are in high school full-time to keep the money they earn from their jobs if it is put toward their future education.

Notre gouvernement a travaillé fort en vue de supprimer les obstacles à l'emploi par le système d'aide sociale. Et, je suis fière d'annoncer que dans le cadre d'une autre mesure importante instaurée récemment, nous invitons les entreprises à travailler avec nous pour trouver de nouveaux débouchés vers la réussite.

**1410**

Today, our government launched a new employment innovations fund. This fund will engage employers in expanding employment opportunities for people on social assistance, including people with disabilities. As minister responsible for accessibility issues, I am particularly proud of this government's initiatives that break down employment barriers in the workplace.

Employers in Ontario should be benefiting from the potential, skills and talents of all Ontarians, including those who face social, economic or physical barriers to employment. It just makes good business sense.

Nombre de bénéficiaires d'aide sociale sont des travailleuses et travailleurs pleins de bonne volonté, prêts à travailler—des hommes et des femmes doués qui ont les mêmes rêves et aspirations que les autres. Tout ce qu'ils nous demandent, c'est simplement de leur donner les mêmes possibilités, des opportunités que nous prenons souvent pour acquis.

That's why we're calling on the business community to get involved. The employment innovations fund invites organizations, including employer associations, chambers of commerce and boards of trade, to submit proposals for new initiatives that will help businesses to grow and people on social assistance to achieve their potential, because everyone benefits when people on social assistance find meaningful jobs. It's good for recipients and their families—c'est bon pour nos bénéficiaires et leurs familles; it's good for businesses—c'est bon pour les affaires; it's good for the economy—c'est bon pour l'économie; and it's good for the prosperity of our province—c'est bon pour notre province.

In closing, I would like to thank Deb Matthews, the member from London North and my parliamentary assistant, for her good work in this area. Thank you very much.

**STROKE AWARENESS MONTH  
MOIS DE SENSIBILISATION  
AUX ACCIDENTS  
VASCULAIRES CÉRÉBRAUX**

**Hon. Jim Watson (Minister of Health Promotion):** June is Stroke Awareness Month in Canada. Stroke, as many know, is a devastating illness and exacts a tremendous toll on Ontario both in human and financial terms. About 16,000 people in this province suffer a stroke each year. It's the third leading cause of death in Canada, and it costs Ontario's economy about \$1 billion a year.

As we celebrate Stroke Awareness Month, it's important to remind members and Ontarians about the fact that there are steps we can take to reduce the risk of stroke. Risk factors include high blood pressure, high blood cholesterol, heart disease, diabetes, being overweight, drinking excessive amounts of alcohol, staying physically inactive, smoking and stress.

Ces facteurs de risque peuvent être contrôlés. Des preuves scientifiques nous montrent que l'on peut prévenir les AVC et même en réduire la fréquence de moitié en mangeant des aliments sains, en restant actifs, en ne fumant pas et en buvant de manière responsable.

That's why it's important during Stroke Awareness Month to remind Ontarians and members of the House of the warning signs for stroke. They are:

—Weakness. This includes a sudden loss of strength or sudden numbness in the face, arm or leg, even if temporary;

—Trouble speaking: For example, sudden difficulty in speaking or understanding, or sudden confusion, even if temporary;

—Vision problems. This includes sudden trouble with vision, even if temporary;

—Headache. This includes a sudden severe and unusual headache; and

—Dizziness. For example, a sudden loss of balance, especially if this is combined with any of the above signs.

I want to congratulate our partner, the Ontario Heart and Stroke Foundation, and its president, Rocco Rossi, for their excellent work on both advocacy and research into stroke. I'm pleased that Mr. Rossi, along with his colleagues Laura Syron and Krista Orendorff, are in the gallery. We welcome them and thank them very much.

Même s'il est important d'informer les membres de l'Assemblée et la population ontarienne sur les signes d'un AVC et sur les mesures que les gens peuvent prendre pour réduire leur risque, notre gouvernement va plus loin.

Every year, the McGuinty government invests \$30 million in the Ontario stroke strategy. The Ontario stroke strategy is a comprehensive and integrated approach to stroke in this province. It educates Ontarians, including those Ontarians from culturally diverse and vulnerable populations, about the risk factors for stroke and how to prevent stroke. The stroke strategy also makes sure that stroke patients and their families are able to get high-quality stroke services, quick access to diagnostics and rehabilitation and community services.

The Ministry of Health Promotion invests \$4.6 million into the Ontario stroke strategy every year. These funds are invested in public awareness campaigns, programs that address the risk factors for stroke, health promotion tools that serve culturally diverse and vulnerable populations, and community-based prevention initiatives for older adults and underrepresented groups.

One of our government's key partners in developing and implementing the Ontario stroke strategy is the Heart and Stroke Foundation of Ontario. I'd like to take this opportunity to thank the Heart and Stroke Foundation for



the good work they do to help our government and the people of Ontario. In fact, Mr. Rocco Rossi, whom I introduced earlier, is actually going to be kayaking all the way from Toronto to Ottawa to raise funds for the organization. We wish him the very, very best.

The Ontario stroke strategy is clearly getting results for the people of this province. For example, at the World Stroke Congress in June 2004, the Ontario stroke strategy received national and international recognition, and in June 2000, the Institute for Clinical Evaluative Sciences estimated that the programs under the Ontario stroke strategy will, when fully implemented, save more than 7,000 lives and \$500 million over a five-year period. In fact, a report today from the Heart and Stroke Foundation and the Canadian Stroke Network indicated that the projections of savings from organized stroke care are based in part on the experience in Ontario, where a coordinated stroke system has been in place. The Ontario stroke strategy is already showing significant results.

Our findings show that the number of hospitalizations for those who have suffered a stroke in Ontario has declined. What's more, Ontarians are being discharged from hospitals sooner after suffering a stroke, and fewer people are returning to hospitals after suffering another stroke. The mortality rate associated with stroke has declined from 17.2% in 1997-98 to 15.1% in 2004-05.

Les membres de l'Assemblée législative de l'Ontario conviendront sûrement qu'il s'agit d'une excellente nouvelle.

Le fait d'apprendre comment on peut prévenir les maladies joue un rôle important dans le maintien de la santé.

I encourage members to share what they have learned today with their families and friends during Stroke Awareness Month. Learning more about the risk factors and symptoms of stroke and what we can all do to minimize our chances of getting one is an important part of staying healthy in Ontario.

**The Speaker (Hon. Michael A. Brown):** Responses?

#### STUDENT LITERACY

**Mr. Frank Klees (Oak Ridges):** In response to the Minister of Education: The fact that Ontario students continue to show improvement in these literacy tests is proof positive that the implementation of the EQAO tests was the right thing to do. I'm glad to see that even the McGuinty government recognizes the value of these tests as a measurement of student achievement.

As we all know, the EQAO was established by the former PC government as an independent, arm's-length organization to develop, administer and report on province-wide literacy for Ontario students. The initiative was opposed at that time by the Liberals and the NDP, but no move has been made—thank goodness—toward the dismantling of these tests, although most of the education reforms implemented by the former government have in fact been repealed or watered down. While ESL and special-needs students continue to lag far behind,

there are measured improvements even among these students.

The evidence is clear that student results can improve if given the necessary resources. Teachers and students have benefited from these tests and knowing how students are doing. It has enabled the government to add the resources to those areas where the resources were needed, which was the intention of those tests.

A great deal of credit must be given to what was at the time a very controversial issue—namely, making it a requirement that students must pass the literacy test as a condition of graduating. That was opposed by both the Liberals and the NDP. However, we're now seeing the results of that policy. That policy has forced schools to ensure that the additional help that some students need is in fact available, and that is the reason we continue to see improvements on the part of students right across this province. It was this very policy that has driven alternative courses, peer teaching and a number of other initiatives that are now available for students across the province who were struggling to achieve the basic literacy standards set by the tests.

#### 1420

The fact that the Liberals have not cancelled this policy, which they so firmly opposed while in opposition, is encouraging. My only concern is that they don't interfere with the integrity and independence of the EQAO in an attempt to compromise those standards and to lower the standards of those tests. We continue to hear of their efforts to do exactly that, and we condemn them for it. We call on the government not to lower the standards for Ontario students, but to ensure that those standards continue to motivate our students to strive for excellence.

#### SOCIAL ASSISTANCE

**Mr. Cameron Jackson (Burlington):** I'm pleased to comment on the announcement by the Minister of Community and Social Services today. I read with interest the press release which documents what these changes are all about, but I want to suggest to the minister opposite to be very, very careful about reintroducing student welfare and improving its accessibility in this province. I recall when, in 1995, 1.6 million people in this province were on social assistance. We had thousands—thousands—of high school students who routinely, by the stroke of a pen, could announce that they were living somewhere else and go immediately on to social assistance. Some elements of your announcement today are worthy of applause, and we encourage that, but I ask you to look very carefully at the message you're giving to our young people.

Secondly, on the quit/fire rule, you have to be careful with the potential amnesty that people who currently have jobs are going to be seeking or who will use the occasion to suggest that they have the signal from this government that it's okay to hold employment beyond what the guidelines currently permit.



Minister, I reiterate the concern that my colleagues on this side of the House have raised with you about ODSP and access to services. I still have a large number of citizens who have been cut off their special nutritional supplements because of the manner in which you, through the OMA, have worked out the complicated application process for this benefit. Many of my constituents have been disenfranchised by that. I have a blind constituent who, because he lives with his caregiver, has been unable to obtain social assistance under your program. Quite frankly, he received it in 2000. We found him a job, but now that he's unemployed and can't find employment, he cannot get assistance.

Those are the reforms we're looking for in the House—

**The Speaker (Hon. Michael A. Brown):** Responses?

### STUDENT LITERACY

**Mr. Rosario Marchese (Trinity-Spadina):** I am so impressed by the test that I'm hoping the minister will answer these questions. Why do the people marking the education quality assessment office tests have to sign a confidentiality agreement when there are no identification indications on the test papers? Is it possible to get a copy of the confidentiality agreement? Why is it not possible to get a complete copy of all past EQAO tests and booklets to allow for objective comparisons from year to year? And why is the government not prepared to send copies of these tests to parents so they can review them?

What qualifications do the test markers have? Is it possible to obtain a list of the markers and their qualifications, particularly those who have marked the secondary math and language tests; in other words, are all those marking the tests certified teachers?

Who sets the standards for the tests? Who decides what a level 1, 2 or 3 is? And why have the criteria been known to change partway through the marking, depending on the results that are being achieved?

Do the tests reflect in any way the instructions that the markers are given, or do they really reflect the achievement of students? What happens to markers who disagree with the standards that are imposed? Do the tests have any diagnostic value, or are teachers simply given a score: one, two or three?

We know the minister is immensely interested in these questions, and if she seems as interested as she purports to be at the moment, I hope she will find the time to answer these questions in any way that she deems fit. Perhaps she can write the answers to me, or she might let the deputy minister simply send a list of the answers so that I can feel good about the kinds of results that we are given.

### SOCIAL ASSISTANCE

**Mr. Michael Prue (Beaches-East York):** I rise to respond to the Minister of Community and Social Ser-

vices. When I heard you were going to be making an announcement today, I held my breath just for a second, thinking about the 38% of all welfare recipients who are children; that maybe you were going to end the clawback; maybe those kids would go to school without being hungry; maybe there was some more money for them or they would have decent clothes. But in fact that is not what's happening.

How do these reforms affect the 38% of welfare recipients who are children? I will tell you, it does not affect them in any way whatsoever. How does it affect the many people who go to school hungry? It doesn't affect them. How does it affect the people who have disabilities, whether those disabilities be mental or physical or emotional, who cannot and probably never will be able to work and, in their wildest dream, would never be able to own a car? It doesn't help them either. How is it going to affect single women whose greatest need is to get some quality daycare so they can go back to work? It's not in there either.

There's nothing there that's going to help the overwhelming majority of people who are on Ontario Works or disability. They're never going to get back to work with reforms like the ones you've suggested today. These are for the elites. These are for the elite of those who are on social welfare assistance, those who have been temporarily without jobs, those who still have some resources like a car, those who are very young, like 16-year-olds and 17-year-olds who can go back to school.

I tell you, this is a very narrow program. It does not assist the overwhelming majority of people who unfortunately find themselves on Ontario Works or disability. There's nothing here for the majority. As you admitted yourself in estimates, the people who do not have children who are on social assistance are actually worse off today under your government than in the deepest, darkest days of Mike Harris.

When are you going to end the clawback? When are you going to start doing things that really help? When are you going to make announcements that cost some money instead of what you're saying here today? It's wonderful, in the end, that you invite the business community to get involved. We welcome the business community getting involved, trying to find jobs for people. But you know, you're asking them to do something that you're not prepared to do yourself. You should be out there trying to find jobs for them. You should be providing assistance and benefits for them. It's sad that this government continues to be missing in action on this file.

### VISITORS

**Mrs. Christine Elliott (Whitby-Ajax):** I ask my colleagues to join me, please, in welcoming two guests to the west gallery. They are Mrs. Deanna Meikle and Mrs. Pat Douglas, who are the mother and grandmother of our terrific page Tommy Meikle and are also fellow Whitby residents. I hope you'll please join me in welcoming them today.



WOMEN'S REPRESENTATION IN  
PROVINCIAL PARLIAMENT  
REPRÉSENTATION DES FEMMES  
AU PARLEMENT PROVINCIAL

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I believe we have unanimous consent for each party to speak for up to five minutes on the issue of greater representation of women in the provincial Legislature.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has asked for unanimous consent for each party to speak for up to five minutes on the issue of greater women's representation in Parliament. Would that be correct? On the issue of greater representation of women in the provincial Legislature. Agreed? Agreed.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I rise today to speak on the importance of increasing the representation of women in this Legislature. As I do so, I'm reminded of something that Margaret Thatcher once said. She said, "If you want anything said, ask a man. If you want anything done, ask a woman." The quote is appropriate in today's context because, while I and the leaders opposite will talk today about the tremendous contribution women can make in political life, the fact is we have, on all sides of this House, women who are making that tremendous contribution right now, right here. I want to take this opportunity, on behalf of all Ontarians, to thank them for their continuing contribution.

1430

Le travail qu'elles accomplissent en cette Chambre et la différence qu'elles font au sein de leurs collectivités font d'elles bien plus que de simples députés. Cela en fait des leaders.

Ici, au sein de cette Assemblée, nous avons encore besoin de plus de leaders de ce type.

The work that women do in this chamber, the difference they make in their communities, makes them more than members. These things make them leaders. What we need is more leaders like them here in this assembly. Women, of course, are succeeding in many walks of life. They're running businesses, they're contributing to the professions and trades, they're volunteering in their community and they're raising their children.

The remarkable thing, for those of us who find multi-tasking somewhat challenging, is that thousands and thousands of Ontario women are doing many, if not all, of these things at the same time in spite of the heavy responsibilities they already bear. All of us need to ask women to do one more thing, and it's this: Consider choosing political life. Yes, it's challenging and yes, the cynics have done their best to tarnish the work we politicians do, but we in this assembly can tell you there are few places where you can serve so many, so often. A teacher works magic when she ignites the imaginations of her students, but we in this place, working with teachers, parents and students, can invigorate education itself.

A physician with a caring heart and a healing hand can comfort a patient, but we in this place, working with physicians, nurses and other health care providers, can help improve health care itself. An entrepreneur with a keen eye and the courage to take risks can start a business, but we in this place, working with entrepreneurs in all sectors, can help build the investment climate that allows an enterprise to survive and the workforce that will ensure it thrives.

This is what we get to do here, and this place matters. It matters that we encourage more women to share in this work, because we work best when we truly represent Ontario, not just its regions but its people in all their diversity, and both male and female, because it helps us understand Ontarians, their experiences and aspirations.

Nous avons donc joint des groupes tels que Equal Voice, qui est représenté ici aujourd'hui et qui croît dans le service public de même que dans l'importance d'un rôle accru des femmes dans ce secteur.

Speaker, I was saying that we join groups like Equal Voice, which is represented here today, who believe in public service and the importance of a growing role for women in it. The party I lead, the Ontario Liberal Party, a party that is proud to have had Lyn McLeod as its leader, a party that is proud to have my colleague the member for London North Centre as its president, is committed to attracting and welcoming more women candidates. The percentage of women in our caucus has risen from 6% in 1985, to 13% in 1995, to 24% today. What's more, almost one third of our cabinet ministers are women. So we've made progress, but we have much work left to do. To that end, our party is striving to seek out and nominate capable women in half of the ridings that we do not currently represent in this Legislature. It's just one more step, but it's a step forward.

I often say that if Ontario is to succeed, we need every Ontarian at his or her best. It's equally true that if we are to succeed in this chamber, we need the best of Ontarians, male and female, working together. Let this be a goal that we all share and work towards.

**Mr. John Tory (Leader of the Opposition):** On behalf of the Ontario Progressive Conservative Party, I want to express the strong support of all of us who believe as deeply as all of us do in this House in the process in this place to take tangible and practical steps to increase the participation of women in politics, to increase the number of women who stand as candidates for election to the Legislature and to see more women sitting in the Legislature after October 4, 2007.

C'est une priorité très importante pour moi et pour notre Parti progressiste-conservateur.

Since my becoming leader some 20 months ago, our party has held seminars for women interested in seeking public office where they can come to better understand the good and not so good, and whatever else we might convey to them about the life we have all chosen. Two weeks ago, more than 200 women attended a fundraising event in support of Women in Nomination, an organization that we have which supports women who want to seek nominations for the Progressive Conservative Party.



I'm proud to say that in the five by-elections that have taken place in the life of this Parliament, the PC Party has nominated women in all five. We were delighted to see elected this spring two women to our caucus, the member for Whitby-Ajax, who is sitting here beside me, and the member for Nepean-Carleton, to add to our ranks and to add to the number of women in this Legislature.

Our candidate search rules have made very clear my own determination that we simply have to do better, for our own part as a party and, I believe, on an all-party basis as well. Why is it important? In speaking to the women at the Women in Nomination event the other day, I cited a number of reasons. It's not the complete list but I think it's a list of some of the important considerations.

First, I don't think we can really say that we have achieved what we set out to do with important laws like the Charter of Rights and other human rights legislation when the body which makes laws in Ontario so underrepresents women. The same comment could be made in respect of a number of other groups, but that is an issue to be discussed another day.

Secondly, I believe that women bring a different perspective to bear on many issues. They often look at issues, policies and politics in a different way: not better, not worse, but just different. How can we really ensure that we're making the best decisions, with those different points of view taken into account, if women are not equitably represented on the floor of this Legislature, in committees and at the cabinet table?

Thirdly, I have a very genuine concern, which I've expressed many times, about what I believe to be the increasing dysfunction of the Legislature itself. Some of it—not all of it, but some of it—stems from and is illustrated by the lack of civility and decorum that we often see in the Parliament itself. While I believe that having more women here won't, in and of itself, solve that problem—I will avoid making any comment about the proficiency of some of the champion hecklers here and their gender; that is in reference to no particular person—I do believe it will help. My wife, Barbara, is a very straight talker, and she has a way of summing these things up which often works quite well. She says the place may well be just too testosterone-injected, and I think she might well be right about that.

I think we're going to have work hard not just to get the candidates but to get them elected, because I think it will make a fundamental difference to the legitimacy of this place. It will make a fundamental difference to the quality of the laws that we pass. It will ensure that one of the two biggest groups in all of society is represented more equitably here. I think it will lead to a better Parliament. I think it will lead to a higher level of confidence in us and in what we do here. I think it will be a place where we can work better together in the public interest and it will serve the interests of the political process as whole. Thank you.

**Mr. Howard Hampton (Kenora-Rainy River):** Despite the gains that have been made by women in electoral politics, there is a great distance still to go before true equality is realized for women in the field.

On the world stage, of 85 countries studied, 22 have women as their leaders or monarchs. The past few years recorded some historic firsts for women in politics: Angela Merkel was elected Chancellor of Germany; Michelle Bachelet was voted President of Chile in 2006, and her cabinet is 50% women; Portia Simpson Miller won as Prime Minister of Jamaica in 2006.

**1440**

In Canada, women make up more than one half of our population, but occupy little more than one fifth of elected positions at all levels of government combined. It's an interesting scenario, and it's not just in government.

One of the things I discovered when I was in the office of the Attorney General of the province was that very often, when vacancies came open for judges, women lawyers didn't apply. When I asked, "Why don't they apply?" no one had a answer. So I wrote a letter to every woman lawyer in the province who had practised for 10 years and was eligible to become a judge, and we were inundated with applications. In fact, I received a lot of letters from women lawyers saying, "We never felt we were invited or welcome before." As a result, we were able to appoint more women as judges than ever before. Simply opening the door and saying, "You're welcome here. This place is for you too," makes a big difference.

Too few women hear the message that they are welcome in politics. Too many obstacles are placed in the paths of women in politics. New Democrats have recognized that, and we've taken some steps to try to address it. In the political realm, New Democrats are committed to ensuring that women are not only encouraged to run, but are helped to run. We direct special attention to ensuring that women are approached and recruited to be candidates by all riding associations across Ontario. We set targets and always try to better our best efforts and get more women elected.

We are proud that Agnes McPhail, for example, who was elected as the MP for York East in 1921, was a member of the CCF, now the NDP. She was the first and only woman in the House of Commons for 14 years. We're proud that in November 1989, Audrey McLaughlin became the first woman leader of a national political party in North America. We're very pleased that, with the result of the last federal election, 42% of the federal NDP caucus are women, many of them elected for the first time.

We have decided we must have a formal policy of freezing nominations until there is a member of an affirmative action community, i.e., women, seeking the nomination. We also decided to provide financial support to all our women candidates, through the Agnes McPhail fund. This fund helps defray the expenses associated with the campaign. Sometimes it's used for child care, sometimes it's used for transportation costs, but it's generally used to help cover those unexpected costs that arise during election campaigns. We recognize that women often face added hurdles in running for office. We recognize that, and so we recognize we must do something about it.



We know that we can do something here, and today we've heard three speeches about what's been done, about what needs to be done. I want to put forward a practical suggestion for Ontario, though. When we look around the world, we notice that those jurisdictions that have proportional representation elect far more women. It doesn't matter if you look at Europe, Australia or New Zealand, where you have proportional representation you have more women elected.

Maybe we can take heart that Ontario's minister for democratic renewal is a woman. We urge her to make sure that proportional representation becomes part of Ontario's electoral framework so that we will have more women.

## ORAL QUESTIONS

### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. Premier, could you provide us with a detailed update as to the status of the six warrants for arrest issued in Caledonia last weekend? One individual, as I'm sure you know, is charged with the attempted murder of an OPP officer, and I would just like to clarify, for the benefit of the public and this House, what the status is of those outstanding warrants.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I have no specific information in that regard. I know the leader of the official opposition will understand that this is the subject of an ongoing police investigation. I do know that there is co-operation between the Ontario Provincial Police and the Six Nations Police, but beyond that, I'm not aware of any of the details.

**Mr. Tory:** Premier, just two days ago, after more than 100 days of this standoff, we finally heard you stand up and speak to the situation at Caledonia, and for once you seemed to be very clear about two specific conditions that had to be satisfied before you would return to the negotiating table, and those conditions were (1) "the barricades must come down, and they must stay down," and (2) "we are asking" the First Nations "leadership to co-operate in any way with the Ontario Provincial Police so that they might apprehend the individuals involved."

You have made reference today and yesterday to the Six Nations Police co-operating, but we see very opposite signals coming from some of the leadership of the Six Nations in terms of apprehending these people.

What kind of signal does it send when you don't stand firmly on your own second condition, which referred to co-operation generally, not to co-operation from the Six Nations Police alone? What kind of signal does that send?

**Hon. Mr. McGuinty:** Maybe the leader of the official opposition just can't stand good news. Let's review what has happened just recently: The Highway 6 barricades

are down, MTO has inspected the road, and it's been re-opened to traffic; the railway barricade is down, railway staff have inspected it, and trains are back up and running today; hydro crews are again working on transmission line improvements; the OPP are working together with the Six Nations to effect the execution of those outstanding warrants.

Clearly, the leader of the official opposition remains unhappy with this turn of events, but I think we're making progress and we will continue to work as hard as we can to make still more progress.

**The Speaker (Hon. Michael A. Brown):** Final supplementary.

**Mr. Tory:** If you ask if I'm unhappy with one part of the turn of events, yes, I am. There are some positive developments that have taken place, but I think there is an issue of real concern, not just to the people who live down there but to the people of Ontario, with respect to your condition with respect to co-operation by the leadership with respect to the apprehension of these individuals.

The Hamilton Spectator reported this morning on their front page that the Six Nations are refusing to hand over the individuals involved and are no longer returning phone calls. We were inspired, finally, by your "one rule of law for all" comments just days ago, and we thought that meant we were getting on the right track to restoring confidence and to dealing with a situation that is very acute, and we hoped that you would actually live up to your own conditions, which you set on Monday.

Why is the Ontario government returning to the negotiating table when there are people who continue to hide and protect those who are sought for alleged violations of the law? Why won't you stand firm on your own conditions, which you set on Monday, demanding co-operation from the leadership as a whole before you go back to the table?

**Hon. Mr. McGuinty:** I would encourage the leader of the official opposition to read the article he referenced, because he will see that it says, "But Six Nations Band Council leader David General said the suspects should be dealt with by the OPP and the Six Nations Police have a duty to uphold Canadian law.... the Canadian law is the form of law that should be upheld and therefore the arrest warrants are a 'police matter,' General said. 'I am confident the Six Nations police will do what they have to do,' he said."

Again, we have the barricades down, we have in place a community liaison table, we have in place a permanent table to discuss the land claims issue, we're working as quickly as we can to get the land out of the scenario by looking to compensate the developer in question, and we are working as hard as we can to resolve this peacefully in a determined way. I think there is some good news. I think the community should take heart in this, and we will continue to make progress.

**The Speaker:** New question.

**Mr. Tory:** My question again is to the Premier on the same matter. I think most people down there would con-



firm that there is some good news, but I think we have to be careful not to downplay a very, very grave situation that still exists for a lot of these people. Many of them are feeling as vulnerable as ever today, notwithstanding the good news we've seen so far.

Arrest warrants have indeed been issued for everything from attempted murder to assault and theft, and yet, I would argue, instead of standing firm on your own conditions—and we can all read different quotes from different people—you've chosen to return to the bargaining table while the rule of law is still seriously in question.

1450

The residents are frightened. They are strung out by endless nights of ATV vehicles going across their property, harassment on their own property. TV media reports suggest that some people have been threatened and continue to be threatened when they're on their own property, and told they're going to be evicted from their own homes at some point in time. Premier, what do you have to say to these people, some of whom will not even sleep in their own homes, don't feel secure enough to sleep in their own homes because the rule of law is not prevalent there?

**Hon. Mr. McGuinty:** I think what the leader of the official opposition is doing right now is making it clear that he is unhappy with the way the police have approached this situation. I would suggest to him that if he has advice that he would like to tender to the police, he offer that here and now so that we can all understand where his party is coming from in this particular regard.

**Mr. Tory:** Premier, some of these people in Caledonia are now so fearful and angry that they've brought a lawsuit against you and your government for failure to protect their personal interests and their personal safety. The Hamilton Spectator reports that residents have now resorted to organize and form defensive vigilante groups and have contingency plans to protect themselves. They have lost total faith in the rule of law on your watch. As one resident was quoted as saying in the newspaper, "It is terror there, not just anger." The homeowners in the neighbourhood told an information meeting of the Caledonia Citizens Alliance yesterday that they are terrified by gunshots in the ravine behind their properties and attempts to burn wooden fences behind their homes.

Monday, you set out conditions. Tuesday, you seemed willing to set those aside. What are you prepared to do? I would suggest a good start would be to say that you are in fact not going to go back to the table until the rule of law has been re-established there, and that does count on the leadership you said you'd be counting on co-operation from to co-operate and to do it.

**Hon. Mr. McGuinty:** I understand the particular representation the leader of the official opposition is making about my commitment, but I'm satisfied that it has in fact been met. The barricades are down. We have received word from both the OPP and the Six Nations police that they are co-operating in dealing with those who committed those misdeeds last Friday. But again, what the leader of the official opposition is saying is that he's

unhappy with the police in terms of how they're handling this particular matter. If he has advice he would like to offer to the police, then I would love to be able to get that on the floor right now so we would all better understand where he's coming from.

**Mr. Tory:** Just in terms of the selective quotes, there's a quote from the Hamilton Spectator today—I presume it's even the same article the Premier is quoting—"Six Nations representatives said they are refusing to turn over the six wanted people to the OPP, who are being investigated by the traditional government. They also argue the Six Nations police have allegiance to their people first." We can read whichever quotes we want.

Premier, this situation appears to have spread or has moved from the roads to people's own personal property. We've received first-hand reports of people walking into a community member's backyard and simply lighting a bonfire. Now, we all know that if somebody walked into your backyard and lit a bonfire on your property, there would be police officers there within seconds. I don't accept the fact, nor do I think you should, that any resident of Ontario is meant to live in a situation where the rule of law is in question like this and where people can come on to their property, light a fire in their backyard and nobody does anything about it.

I just want to know what you say to these people who are experiencing this, and what you're going to do to uphold the rule—

**The Speaker:** The question has been asked.

**Hon. Mr. McGuinty:** Again, the leader of the official opposition and his colleagues obviously are very unhappy with the way the police continue to manage the situation. I continue to have confidence in the Ontario Provincial Police. I also would encourage them, again, if they have advice of any kind with respect to how it is the OPP should conduct themselves in this or any other matter, then they should make that public. Obviously he's very concerned that there are certain kinds of actions that are taking place which are not being visited with consequences. If that is his concern and he has advice to the Ontario Provincial Police, again I suggest he make that advice public.

## NUCLEAR WASTE

**Mr. Howard Hampton (Kenora–Rainy River):** A question for the Premier: One of the reasons the McGuinty \$40-billion nuclear mega-scheme worries working families is because it will create more toxic nuclear waste, which remains radioactive for thousands of years and will have to be stored somewhere.

On Monday, your energy minister said, and I want to quote him, "The amount of nuclear waste that we've generated in the last 40 years doesn't approach a tonne." Is that accurate or is your energy minister playing fast and loose with the facts?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I want to make it clear to the leader of the NDP, as I have to the people of Ontario, that



there are some downsides to nuclear generation. There's no doubt about that. There are downsides pretty well to every available source of new generation for us.

We have just about tapped out when it comes to exploiting hydroelectric capacity. We're being very aggressive with respect to harnessing wind energy. We're inviting Ontarians to our standard offer program to participate in the generation of clean electricity that we might purchase and put into our grids. But beyond that we've got to make some tough choices.

The leader of the NDP says we don't have to make any choices, that we can conserve our way to 2025 and rely on wind and water through to 2025. I just don't think that is realistic, and I think when Ontarians take the time to consider this, they will understand that what we have put forward is a fair, balanced and responsible plan that is in keeping with their values.

**Mr. Hampton:** I'm surprised again that the Premier won't answer the question, because I think it represents a failure of the Premier to be straight with the people of Ontario. You should know the facts, Premier. They're contained in this study which was done on the whole issue of nuclear waste. It says that Ontario generates 1,632 metric tonnes of high-level nuclear waste every year and, as of December 2004, we had a grand total of 29,455 metric tonnes of nuclear waste here in Ontario—not the less than one tonne that your energy minister wants to tell people.

Premier, when your government refuses to be straight with the facts, when you won't even answer the questions, what it says is that you will do just about anything to force through your nuclear mega-scheme.

My question is this: This is a \$40-billion decision, the equivalent of \$13,000 per household. Why won't you be straight about how much nuclear waste is generated and where it will be stored?

**Hon. Mr. McGuinty:** One of the things we had to consider was the various downsides to the different sources of electricity generation. If we were to continue to burn coal indefinitely, then we would continue to spew toxic emissions into the air and contribute to global warming on an ongoing basis. That is one option—there's no doubt about it. We chose something else.

There's a downside to nuclear generation. We produce radioactive waste, and it is true we're going to saddle future generations with this responsibility for some to come, but I just prefer the notion of containing it. I know where it is. I know how to contain it.

The problem we have with respect to burning coal is that it's spewed into the environment. It may be that we don't see it, but it's causing severe damage to our health and it's compromising our climate.

We've made a choice. It's the kind of thing the government should have done a long time ago, to look these things in the eye and make the choice. We are convinced it's a balanced and responsible plan, in keeping with the values of the people of Ontario.

**Mr. Hampton:** Premier, stop trying to kid people. You're going to be burning coal for a long time too, and generating more nuclear waste.

Where I come from, when you create a problem, you don't say to someone else, "You fix it." You take responsibility for it yourself. It's called leadership.

This morning you told reporters you had a solution: Just stick nuclear waste in a box. People in regions that have been identified as possible nuclear waste storage sites—northwestern Ontario, northeastern Ontario, Hamilton, Niagara region—want you to show us this magical nuclear waste box that you're talking about. Where is this magical box that you told the press about?

**Hon. Mr. McGuinty:** Obviously, it's more complicated than a box. What I was trying to get at in the context of the scrum is that we know how to contain this stuff and we know how to contain it indefinitely. I think that's important to recognize. We've got a real challenge when it comes to hanging on to emissions that come from burning fossil fuels. I think Ontarians are on to this notion that we are, through human activity, now influencing our climate in a negative way. I think they want us to look for alternatives.

1500

Nuclear is hardly perfect. Again, what we're talking about is ensuring that by 2025 we have 14,000 megawatts of generating capacity. Today in Ontario, we have 14,000 megawatts of generating capacity. Essentially, we're talking about holding the line when this comes to nuclear capacity in the province of Ontario. That plan is complemented, beyond nuclear generation, with more gas, with more conservation, with more renewables. Again, it's balanced, it's responsible and I think it marries together those values that Ontarians would want to have us incorporate into their energy plan.

## ELECTRICITY SUPPLY

**Mr. Howard Hampton (Kenora-Rainy River):** A question to the Premier: You talk about conservation, but that's about all your government does on energy efficiency and conservation; you talk about it. But yesterday, your energy minister also made some dubious claims about the McGuinty government's record on managing nuclear plant refurbishments, and specifically the management of the Pickering A unit 1 refurbishment. Can the Premier tell us, what was the Ontario Power Generation review committee's original cost estimate for the Pickering A unit 1 refurbishment, and what was the final price tag that had to be paid?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Speaker, to the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** The original price tag, coupled with the final price, was within the construction variances that were outlined in the report.

**Mr. Hampton:** I asked the Premier because the Premier should know it's his good friend John Manley



who headed up the review committee, and the review committee said that the Pickering A unit 1 restart would cost \$825 million. But then Ontario Power Generation put out a press release dated September 27, 2005, after the restart was in process, and said the Pickering restart's final price tag was \$1 billion, or \$175 million over budget. Who pays for that? People pay for it on their hydro bills.

My question is this, Premier: Why isn't your government, your energy minister, being straight about nuclear power, its high cost and its high cost overruns? Why aren't you being straight with people about the cost of nuclear power?

**Hon. Mr. Duncan:** The member is not reflecting all of the sequence of events that occurred. The Manley report was not used as the basis for the decision. The later estimates were, and they came in under the estimated cost. What is important is that this Premier and this government have put forward a plan to ensure that we have a cleaner, more reliable, more diverse, more secure and safer supply of electricity going forward. As the Premier said, these are not easy decisions, they are not decisions that are without challenge, but they are decisions we are taking nonetheless. Unlike Howie in wonderland, this government has a plan, and that plan will ensure the security of our electricity system now and into the future.

**Mr. Hampton:** The only people in wonderland are the McGuinty government, who pontificate like the Pope about coal-fired generation and then burn coal over and over again. But I want to put the McGuinty government's habit of fudging the numbers in perspective. The \$175-million cost overrun at Pickering A unit 4 would buy 100,000 energy-efficient refrigerators and double this year's hydro rebate for low-income Ontarians. But the fact is, Dalton McGuinty hasn't been straight about hydro rates, Dalton McGuinty hasn't been straight about his promise about coal, and he's not being straight now about the high cost of nuclear power. Premier, why should anyone believe anything you say about hydro-electricity, when you haven't been straight on anything so far?

**Hon. Mr. Duncan:** Talk about being straight. What the member just referenced—what did you do when you had the same chance? Appliance cash back: You cancelled it. That's what you did. This morning Mr. Prue, the member from Toronto, said, "Increase the R factor in walls and ceilings; they should be looking at that." What did you do with the R-2000 homes when you were the government? You cancelled the program. We had something called power saver month. What did you do? Project cancelled. We had energy-efficient lighting programs in the early 1990s. You came to office. What did you do? Project cancelled.

This Premier and this government have a plan for the most aggressive conservation system not only in Canada, but likely in North America. Had one government in the last 10 to 15 years even begun this plan, we wouldn't be

in the mess we're in. We're undoing the mess, we're setting the course for the future and we will reach that future.

## NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** Premier, on Monday, as we know, you set two specific conditions to come back to the table: (1) turn over the suspects, and (2) all barricades come down. But as of 2 o'clock today, the Douglas Creek barricades are still up and there is still no word of arrests. As well, the confederacy chiefs have accused David Peterson of reneging on the deal with respect to opening Argyle Street.

Premier, have you and Mr. Peterson reneged on those commitments, and are you going into talks devoid of credibility?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I had hoped that the local member would be very pleased with the progress we've been making. I understand the hardships that have been caused in your community, and the residents' of Caledonia and Six Nations lives have certainly been disrupted—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** I'm having great difficulty hearing the minister.

**Hon. Mr. Ramsay:** As I said, Mr. Speaker, we are making great progress, and I understand the frustration that the constituents of the member have. Their lives have been disrupted. We've been employing all the resources of the provincial government to disentangle this particular dispute. We are making progress, and we continue to make progress. I would ask for the member's patience and, in fact, I would say to the member that I hope he would wish us well on continuing our deliberations in the next few days. We think we can continue tomorrow the progress we've made to date.

**Mr. Barrett:** Thank you, Minister. Premier, you will be negotiating after just breaking a promise, and you're in a feeble position to negotiate. That has raised the concern that you'll be stampeded into giving away the store. The question is, what is on the table? Is it Burtch, is it South Cayuga, is it Townsend, is it the Brantford casino? Are any of those properties on the table? Have neighbouring communities been asked about this? If you do make a deal, Premier, how will Six Nations know that it won't be like some of your other promises?

**Hon. Mr. Ramsay:** It's with great patience that I rise in my place to answer this question and just say to the member that in these long-term discussions, before we get to the disposition of any properties, we have to work out how we are going to dispose of the accounting claim that is in dispute and some of the land claims that are there. Many of your members have encouraged us to look at new processes. That's what the long-term table is



going to do. The federal government is there, as it is their main responsibility to deal with these land issues, and together we're going to work this out.

1510

### ELECTRICITY SUPPLY

**Mr. Peter Tabuns (Toronto-Danforth):** My question is for the Premier. A legal opinion prepared by one of your government's senior policy advisers says the province's energy supply mix plan is required to undergo a full provincial environmental assessment. Now that you've finally announced your plan and directed the OPA to implement it, when will you announce the provincial environmental assessment that's required under Ontario law?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** I'm pleased to have a chance to speak in this House about the responsibility that I have to make sure that Ontarians are protected as we build new generation capacity in this province, as we build solar and wind and natural gas to replace dirty coal. Every single one of those projects will go through an environmental assessment process to make sure of where they should be built and how we can make sure that Ontarians are protected.

When we go forward with a nuclear facility, that will be the subject of a federal environmental assessment. But be clear: The province will be an active participant at the table to make sure that Ontarians are protected. This makes sense because the environmental assessment process examines concrete projects. We need to decide whether they should be built, where they should be built, how they should be built and how we can move forward and replace generation capacity in protecting Ontarians.

**Mr. Tabuns:** It's not surprising that the McGuinty government doesn't want to meaningfully consider alternative power sources to nuclear reactors, alternatives like efficiency and conservation. It's not surprising that you don't want to put the legacies of cost overruns, unreliability and nuclear waste out there for public scrutiny by people who are expert in the field.

You have a responsibility as Minister of the Environment. You can read the act. You can do what's right. When are you going to announce that there will be a full provincial environmental assessment of this plan?

**Hon. Ms. Broten:** If the member did read the act and did take a look at the opinion, he would understand that broad government policy, abstract in nature, is not subject to the Environmental Assessment Act; what is subject is project-specific. Let's not bring an omnibus package that's abstract in nature and examine it. We're going to examine every single project as we move forward. Broad government policy has never been the subject of the Environmental Assessment Act. The opinion of which you speak is an argument for inclusion. It is not appropriate. The demand-supply plan that my friend is speaking about specifically looked at projects. It did

not look at an omnibus package; it was project-specific, wrapped in one. We're not going to wrap it in one. We are going to take each specific project to the people in this province, and we're going to make sure that they're protected. We're going to bring them to the table, and they're going to have their say, one by one.

### HOSPITAL FUNDING

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Health and Long-Term Care. Minister, as you are well aware, the redevelopment of the three hospitals in my riding of Stormont-Dundas-Charlottenburgh has been my number one priority since arriving here at Queen's Park. They were actually one of the main reasons that I decided to seek this provincial office.

In December, you came to my riding with a commitment for redevelopment, including a new wing at the Cornwall Community Hospital. The first stage of this project is slated to begin shortly with the installation of a new birthing suite, with further stages continuing in 2008-09.

Minister, you recently announced a new funding policy for hospital capital construction projects. Can you explain how this new funding policy will benefit the hospital?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** First, I compliment the honourable member on his excellent efforts in the riding that he represents. The three facilities there will be replaced in short order, and that area of Ontario will enjoy the most modern health care facilities possible. This is a credit, as well, to my colleague the Minister of Public Infrastructure Renewal, who has worked hard to help upgrade Ontario's hospital infrastructure.

By moving to a 90% cost-share on the part of the government of Ontario with respect to construction costs, and asking our hospitals to take the responsibility for paying for equipment, we're taking back a very considerable portion of costs and allowing hospitals to raise money on the smaller, bite-sized chunks of equipment, which works very well for them in local communities.

On the Cornwall project, we're moving from 70% to 90% funding, and I can tell the honourable member that the uptake on the part of the government of Ontario for the Cornwall Community Hospital will be a net benefit of at least \$8 million.

**Mr. Brownell:** Minister, I was there as a citizen in the community when the former Minister of Health, Tony Clement, came to Cornwall with empty promises about a cheque in his back pocket, about the development of that hospital. When I came here, I took it as my personal goal to ensure that the future commitments were kept.

Winchester District Memorial Hospital is another hospital in my riding that has a capital project pending. This project will bring new operating room suites, a new emergency room and new outpatient areas as part of the 50,000-square-foot addition.



Minister, you have already put your money where your mouth is with a \$4-million planning and design grant for that hospital, and that commitment has been well received. Can you tell us what other benefits Winchester District Memorial Hospital can look forward to from the funding announcement that you made?

**Hon. Mr. Smitherman:** I've been very impressed with the work of the people in Winchester. I think that the issue you mention about Mr. Clement's past role in the run-up to the last election was even criticized by Mr. Tory, who commented on the propensity of that party to run around with rubber cheques in the run-up to the last election.

In the case of Winchester, where we're going from 50% funding for construction costs to 90%, I can tell the honourable member that the benefit for the Winchester District Memorial Hospital as a result of the alterations in our funding policy announced last Friday means that that community will benefit to the tune of at least \$13 million.

### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** I have a question for the Premier and it's on the Caledonia matter again. There's a story out this afternoon on Canadian Press indicating that the First Nations leaders say that the seven protesters wanted by the police have been removed from the area. A spokesman for the confederacy declines to say where the seven have been taken—if they're free or being held in custody elsewhere.

I ask you again: You said the other day, as one of your two conditions, that you expected co-operation from the leadership. You actually didn't say that you expected co-operation from the Six Nations police, which you're now so fond of talking about; you said you expected co-operation from the leadership. I ask you whether you think this indication here, coming from the Six Nations people, that they have actually removed these seven people from the area, represents co-operation, and why you don't reconsider and indicate that until they co-operate completely with the conditions you set, you will not return to the negotiating table, because it's important that they honour the deal you made with them or the conditions that you set down?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** If the leader of the official opposition takes a good look at the story, he will note that not a single person is quoted in that story.

The best information we have is that the Ontario Provincial Police are co-operating with the Six Nations police, and we are satisfied with that level of co-operation.

**Mr. Tory:** The Premier was repeatedly asking earlier if I had any advice for the police. I have some for him—because he's the leader of the government and he is the person whom people in this province expect to make sure that the law is upheld—and that is that at this time, instead of sending somebody or sending out a press release or holding a press conference, if you don't want

to go there, you should have the people down to your office, both from the residents of Caledonia and from those who are in the First Nations community, and indicate to them that all of the barricades have to come down, number 1, including the Douglas Creek Estates barricades; number 2, that you expect complete co-operation from all of the leadership. And I would add a third, if you're going to have them in, and that is that they must all do whatever they can to make sure that incidents like bonfires being lit in people's backyards, gunshots going off behind people's houses and people being intimidated out of their homes will not be tolerated and that you expect them to bring that to a close. Will you do that?

**Hon. Mr. McGuinty:** I take from that again that the leader of the official opposition is providing advice to our police. He claims that activities are taking place which are outside the law and he's providing advice to the police. Again, I simply ask that he be more specific with respect to the advice that he wants to provide our police. I'm satisfied with the approach they are bringing to the matter before us, and we look forward to continuing to work with all the parties involved to bring this to a peaceful resolution.

### ONTARIO ECONOMY

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Premier. Premier, can you tell me how many jobs Ontario lost last month and how many jobs we've lost in manufacturing since June 2004?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The member is surely aware that during the course of the last three years, this economy has been working so well that it has generated 288,000 new jobs. It's a really good news story. I would like to take credit for that, but the fact of the matter is that it's the good, hard-working people of Ontario who are bringing entrepreneurial spirit, energy and enthusiasm to investing in businesses, creating businesses and expanding existing businesses. This economy is working well because the people of Ontario are working well.

1520

**Mr. Bisson:** Unfortunately, Premier, the answer is that 13,000 jobs were lost in manufacturing in the month of May alone, and we've lost over 100,000 manufacturing jobs in Ontario since June 2004. That is all under your watch. What's worse is that your government is doing absolutely nothing to provide the leadership and the plan to deal with the joblessness happening across Ontario.

In my community, Smooth Rock Falls, we have 300-plus workers who are going to be losing their jobs at the Tembec plant when they idle that mill later in July—again, no plan. My leader, Howard Hampton, has proposed a job protection commissioner as a means to give the workers at Tembec and other laid-off workers the ability to deal with trying to find ways to save their jobs. So my question to you is quite a simple one: Will you take up the offer we've put forward as a concrete



suggestion and pass our bill in order to create the job protection commissioner?

**Hon. Mr. McGuinty:** I say to my friend opposite that he's wrong on all counts. First of all, we have done much to help the manufacturing sector transition to a point where it is more cost-competitive, more productive. We can speak of the \$500-million advanced manufacturing investment strategy. The \$500-million auto fund alone has leveraged \$7 billion worth of new investments in Ontario. We have a \$900-million strategy for the forest sector. In part, this has helped us land 288,000 net new jobs. Beyond that, we have also landed the first labour market development agreement of its kind between the province of Ontario and the government of Canada. This is a \$1.4-billion investment in skills and training for those Ontarians as we build a strong, diversified workforce that is better able to seize the opportunities, to exploit the opportunities in this era of a globalized economy.

#### NORTHERN ONTARIO

**Mr. David Orazietti (Sault Ste. Marie):** My question is for the Minister of Northern Development and Mines. First, I want to thank the minister for his tireless efforts in supporting a number of new projects in job creation in Sault Ste. Marie.

Minister, as you know, our government recognizes that we will need more resources to deal with the issue of out-migration in northern Ontario. Over the past few years, young people have been forced to leave northern Ontario in great numbers in search of job opportunities. Under the previous government's watch, northern Ontario experienced a 19% youth out-migration rate. Our government understood that we needed a solution and refocused the northern Ontario heritage fund, creating two new youth-focused programs: the young entrepreneur program and the northern Ontario youth internship and co-op program.

Minister, can you please tell members and my constituents in Sault Ste. Marie about the benefits of these two programs?

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I want to thank the member from Sault Ste. Marie for the question and for his incredible advocacy for the youth of Sault Ste. Marie.

First, let me tell you that this is a good news story for all of northern Ontario. Since these two new programs were announced in January 2005, we have created, through the Northern Ontario Heritage Fund Corp., 3,505 direct jobs for young people in northern Ontario. We have approved almost \$6 million in funding to keep our youth working in northern Ontario and to keep our communities prosperous.

My colleague David Orazietti's community of Sault Ste. Marie has come to the table to participate in these exciting programs. Through their applications, we have approved almost \$600,000 in funding to Sault Ste. Marie, creating 68 new youth jobs. We are providing our youth

with the opportunity to develop their skills and to make the transition from school to the workplace, encouraging our youth to remain in or return to northern Ontario.

**Mr. Orazietti:** Thank you, Minister. Last December, we announced an investment in Sault Ste. Marie of \$238,000 from NOHFC. This funding from our government is fostering opportunities for young people in my community by investing in new business start-ups, co-operative education placements and internship placements.

In July of last year, our government announced \$2.2 million through NOHFC for 135 internship and work placements. In addition, the northern Ontario young entrepreneur program, providing \$311,000 to youth in our region, has helped Curtis O'Neil with equipment to set up an Internet-based web design business, and Mathew DiBerardino has been assisted with office equipment and a trailer to create a home remodelling business in Sault Ste. Marie.

Minister, the youth programs are just one component of our northern Ontario prosperity plan. Can you please update us on how the northern Ontario heritage fund is working to create additional jobs in northern Ontario?

**Hon. Mr. Bartolucci:** Again, I'm pleased to say that we have met our commitment to refocus the northern Ontario heritage fund and return it to its original mandate of fostering job creation. Since October 2003, the Northern Ontario Heritage Fund Corp. has approved over \$162 million toward projects that will help create 5,646 jobs. That's new jobs. We have funded 667 projects across the north, leveraging investments of almost \$550 million into northern Ontario's economy.

As the Premier said earlier, it's all about the people of northern Ontario and their belief in northern Ontario. So I want to congratulate businesses that have taken the opportunity to apply to the fund, and I especially want to thank those northerners across northern Ontario who sit on the board and make these wise decisions so that finally northern Ontario can begin growing again, something that didn't—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### ENERGY CONSERVATION

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** My question is for the Minister of Energy. You rolled out with much fanfare yesterday your multi-billion dollar plan to achieve 6,350 megawatts of electricity demand savings through conservation. Given the fact that your ironclad promise to shut down all coal generation by 2007 is now in total shambles, totally discredited, why would anyone believe a single word you have to say about this or any other energy-related subject? This should be called the Liberal preservation plan—not conservation—because it is totally based on politics. You even said yesterday it was based on politics when you answered a question to the press. You have offered no details on how you will reach this goal or what your



contingency plan is if you don't. Why don't you just admit that your promise, just as your coal promise, is totally based on politics, nothing else? Come clean with people in the province of Ontario.

**Hon. Dwight Duncan (Minister of Energy):** We've already begun to see results from our efforts on conservation. Let me take a moment to review them. Over 150,000 megawatt hours were saved in 2005 as a result of \$34 million spent by local utilities across the province. Ottawa had a beer fridge bounty; London and Toronto have had very successful programs. That's 150 megawatts of power for over 93,000 homes for over 100 hours. An additional \$129 million has been set aside for those local utilities.

The member opposite would be aware that a couple of weeks ago everyone in Ontario received their Cool Savings rebate program coupons, which my predecessor initiated, offering \$50 per household, I believe, in various opportunities. This is only a beginning.

There have been over 1,300 megawatts saved in various demand management programs, and this is a beginning. There's no doubt that there's a long way to go, but we're intent on not only—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Yakabuski:** Minister, you have no credibility on this issue. You finally rolled out some rebates on swirly light bulbs. But you want to talk about your record on conservation in this province? You shut down the EnerStar appliance program that the previous government had in place. You shut it down and replaced it with nothing. You want to talk about your record? Of the top 10 energy-demand days in the history of this province, nine of them have come on your watch. You talk about credibility in energy conservation? You have none. If I had a record like that, I would resign.

You talk conservation but you don't deliver the goods. You didn't deliver the goods on coal, you won't deliver them on conservation. It's time to pack it in and hand in your resignation.

**Hon. Mr. Duncan:** I'm proud that the economy has been growing at the rate it has been growing, and seeing conservation go up. But what would we expect from a party that has no plan on energy? We've said what we're about; tell us what you're about.

Let me read a quote. There's somebody sitting next to you who had something to say about conservation when he was energy minister: "The private sector asked us to get out of large-scale government conservation programs. Those efforts "may have made the odd person feel good but they had absolutely no effect."

I found something you said yesterday morning very interesting. You said, "Our position is that the number they've indicated ... cannot be relied on. They're depending on total compliance with a third party which is the people of Ontario." Unlike the member opposite, I believe in the people of Ontario. The people of Ontario will meet this objective. It will be hard to get there but I assure you—

**The Speaker:** Thank you. New question.

1530

## ILLEGAL TAXI OPERATORS

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Transportation. Today, Toronto taxi drivers circled Queen's Park again, honking their horns and protesting your predecessor's flawed, so-called anti-scooping bill. Toronto taxi drivers know only too well that scooping has increased and the city of Toronto is now totally out of control. Taxi drivers in Toronto need to be assured that airport taxis and limos won't take away their business and their livelihoods, as the flawed bill has precisely done to them.

You've protected the airport limo and taxi drivers. You've done that and your party has done that. When are you going to protect the Toronto cabbies' interests? When are you going to amend your flawed law?

**Hon. Donna H. Cansfield (Minister of Transportation):** I thank you for the question. As a matter of fact, we did it last week with the passing of the City of Toronto Act—

*Interjections.*

**Hon. Mrs. Cansfield:** The city of Toronto now has the authority to amend that bylaw that would prevent scooping from occurring. So it has been passed and the city has the authority to do that.

**Mr. Prue:** I now see that the province has no intention whatsoever of being fair to Toronto taxi drivers. Not only have—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order.

The member for Beaches–East York.

**Mr. Prue:** Not only have you failed the Toronto cabbies, but there is growing evidence that the province is allowing additional operators to provide airport services. We called a group today that advertises widely in the newspapers of Toronto called Airport Terminal Services, and they're just one such company. My staff asked if the company was licensed in Mississauga or Toronto, and she was told twice that the province, not the municipalities, has granted them a licence. If this is true, under whose authority did they get licensed? And if it's not true, when exactly are you going to stop this rip-off?

**Hon. Mrs. Cansfield:** The Toronto cab drivers are protected under both Bill 169 and Bill 53. We wanted to ensure the protection of the travellers, in particular at the airport, and that is Bill 169. Bill 53 will actually enable the city of Toronto to change its bylaws that would prevent scooping from occurring. That bill was passed and now we'll be able to proceed.

## PRIX DE LA FRANCOPHONIE

**M<sup>me</sup> Monique M. Smith (Nipissing):** Ma question s'adresse à la ministre déléguée aux Affaires francophones. Madame la ministre, en hommage du 20<sup>e</sup> anni-



versaire de la Loi sur les services en français que nous célébrons cette année, vous avez annoncé plusieurs initiatives conçues pour améliorer la visibilité et la reconnaissance de la francophonie ontarienne. Il y a des Ontariens et des Ontariennes dont l'engagement envers la francophonie ontarienne est une véritable source d'inspiration. Leur contribution nous enrichit tous, et j'espère que la communauté soumettra de nombreuses candidatures afin de les reconnaître et d'encourager leurs efforts.

C'est aussi l'occasion de mettre en valeur les réalisations de la communauté francophone et son apport à la prospérité et à la diversité de la province.

Par conséquent, une des initiatives que vous avez annoncées est celle du Prix de la francophonie de l'Ontario, un nouveau prix organisé de concert avec le ministre des Affaires civiques et de l'Immigration. Quel est ce prix et qui est éligible?

**L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones):** Un grand merci à la députée du comté de Nipissing. On reconnaît tous son appui pour la francophonie.

Les Prix de la francophonie de l'Ontario sont décernés annuellement à un ou une francophone et à un ou une francophile pour leurs accomplissements et leur apport unique au rayonnement et à la vitalité de la francophonie en Ontario. Ces nouveaux prix du gouvernement de l'Ontario visent à reconnaître la contribution des francophones et des francophiles non seulement à l'essor de la francophonie ontarienne, mais à l'ensemble de l'Ontario, y inclus l'économie, la culture et l'éducation de la province.

Les candidats et candidates doivent résider ou avoir déjà résidé en Ontario et avoir mené, au cours des dernières années, à bien des initiatives bénéfiques pour la communauté francophone. Les élus au gouvernement fédéral et provincial ou municipal ne sont pas admissibles pendant la durée de leur mandat. Par contre, les fonctionnaires sont admissibles si ce sont des activités qui ne relèvent pas de leur fonction en tant que fonctionnaires.

**M. Phil McNeely (Ottawa-Orléans):** Merci, madame la ministre. Ces prix serviront à mettre l'accent sur les efforts trop souvent passés inaperçus des bénévoles et des gens travaillant à l'épanouissement de la francophonie en Ontario.

Plusieurs citoyens de ma circonscription rencontrent ces critères en contribuant de façon fidèle et concrète à l'essor de la francophonie. Comment peut-on les nommer candidats à ces prix?

**L'hon. M<sup>me</sup> Meilleur:** Un grand merci au député d'Ottawa-Orléans, lui aussi un grand francophile.

La période de mise en candidature a commencé le 16 mai 2006 et se poursuit jusqu'à la fin du mois, c'est-à-dire le 30 juin. Les prix seront remis le 20 novembre prochain lors d'une cérémonie spéciale organisée par le gouvernement de l'Ontario.

Beaucoup de personnes méritent ce geste d'appréciation, et la démarche est simple. Il s'agit de remplir le formulaire de mise en candidature et de l'accompagner d'une description de la contribution du candidat ou de la candidate à la communauté francophone de l'Ontario, ainsi que deux témoignages écrits de personnes qui peuvent attester de la valeur de la contribution du candidat ou de la candidate et de son incidence sur la communauté francophone de l'Ontario.

On peut obtenir plus de détails sur la soumission de candidatures ainsi que les formulaires sur le site de l'Office des affaires francophones ou en communiquant avec le Secrétariat des distinctions et prix de l'Ontario.

## ELECTRICITY SUPPLY

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. During your Minister of Energy's announcement yesterday, he miraculously forgot to mention that he had cancelled the conversion of the Thunder Bay coal plant to natural gas, which is the final nail in the coffin for a big part of your cynical coal promise. In fact, it's going to be the first chapter in a long and painful death for that promise, which is appropriate, given the incredible cynicism that it represented at the time it was made.

Premier, can you confirm that it will be hydro ratepayers who will be asked to pick up the tab of \$30 million that you caused to be wasted in Thunder Bay? Reports from this morning confirm that Union Gas certainly has a no intention of picking up their part of the tab, not to mention the millions of dollars spent by OPG. Will taxpayers or hydro ratepayers be asked to swallow this \$30 million that was wasted because of your cynical coal promise and your failure to keep it?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** I can inform the member that, yes, the contract was cancelled on the pipeline. The cost of cancelling—and I can assure you it was well below \$30 million. The costs will likely be somewhere around \$10 million to \$13 million. Union Gas has been in discussions with our officials. One reason for that was that we decided that in terms of the best way and the most cost-effective way to replace coal in that area—one part of the answer in the northwest was the new research facility that's going into Atikokan, but it was the view of the government and others that at this point in time it was more prudent not to go further with that approach to the coal replacement. We will be replacing coal-fired generation throughout Ontario in the most cost-effective way possible.

1540

**Mr. Tory:** You know, only you people, as part of this great so-called plan of yours, could replace power that is generated by coal with research. I'm sure when a lot of people come to turn on the lights at some point in time, they're going to be very reassured that you're doing research to replace coal-fired generation.



The fact is that you've now told us it's not \$30 million, it's only \$13 million—we'll see what the final tally is when it's all added up—that you blew through your incompetence and your cynical promise made by Premier Dalton McGuinty to cancel the coal-fired generating plants by 2007, a promise you never had any intention of keeping. Think of what that could have done to restore the cutbacks in the tourism budget. What might it have done for autistic children, whom you also promised to help? What might it have done to help a few farmers?

The bottom line is that we see you replacing power with research and you've blown at least \$13 million. My question remains: Who will pick up the tab? Is it the hydro ratepayers and taxpayers? I'm assuming the answer is yes. Are they going to take it in the neck for another \$13 million on your account?

**Hon. Dwight Duncan (Minister of Energy):** The Leader of the Opposition refuses to give a plan.

Let's talk about incompetence on money. I remember Pickering A, unit 4. Projected budget: \$400 million for four units.

**Hon. Gerry Phillips (Minister of Government Services):** What was it?

**Hon. Mr. Duncan:** It was \$1.4 billion for one unit. Your government, sir, could have cancelled that project many times in the leadup.

Let's talk about Ontario Power Generation. That party's policies cost the taxpayers and ratepayers of Ontario \$100 million per month. Let's talk about the price cap that government put on and what it cost the taxpayers over 16 months: \$1.8 billion.

Since we took office, we have introduced responsible pricing. We have eliminated the waste of that party, and we're restoring confidence—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question?

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Michael Prue (Beaches—East York):** My question is to the Minister of Community and Social Services. Last night was the 20th anniversary of the North York Harvest Food Bank, a shameful reminder of how we continue to treat Ontario's poorest children. Last night they said—and I believe it's true—that the incomes of our neediest kids have shrunk by 35% in real dollars. Many of these children are worse off today than they were in the Harris years.

When will you keep your promise to end the Ontario government's clawback of the national child tax benefit, so that poor children don't go to bed hungry and don't rely on food banks just to eat?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** Thank you very much for this question. I think it's a very important question, and this government

is working very hard to make sure that our children don't go to school or to bed hungry. We have done a lot.

First of all, when there are kids who are hungry, it's because there are also parents who are in need. What we have done is increase social assistance twice since we came to power. We have done many, many things for children, and I'm going to help the member to recognize what we have done. We have increased the back-to-school allowance for children, the winter clothing allowance. We have helped—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister.

**Mr. Prue:** The way to end child poverty in this province is to end the clawbacks. You recognized that in opposition. Your Premier said he would do it, and you have failed miserably. If your government hadn't broken its promise to those poor kids and was really improving their lives the way you like to say, then why are we getting—I want to send these over to the minister if a page will come. I have here 1,400 postcards from people asking, demanding, that you end the child benefit clawback. I know that you have received more than 1,400 of them yourself.

**Ms. Andrea Horwath (Hamilton East):** Who are they from?

**Mr. Prue:** It's from CAW Local 444. The former minister has a huge collection of her own postcards as well.

The Daily Bread Food Bank tells us that 38% of its clients are children from the poorest families in Ontario. They also remind us that the clawback is responsible for their hunger. Minister, when will you keep your promise and end the clawback? No talk about anything else—the clawback.

**Hon. Mrs. Meilleur:** I would like to remind the member opposite that when we were elected, we stopped clawing back the increase in the national children's benefit.

But I'd like to remind the member of the opposition about their record, what they left when they left office. One in five children in Ontario was on welfare—one in five. They cut the children's treatment centres by \$2 million. They cut the children's aid societies by \$3.5 million. They put 6,000 child care subsidies from Jobs Ontario on the chopping block. That's the heritage they left to this province, so I'm not going to take any lessons from you, sir.

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: Given the recent tragic events related to street racing, the deaths of and life-threatening injuries to innocent people, I seek unanimous consent from the House for the following motion to be adopted:

That the government call Bill 122, the Street Racing Act, 2006, for second reading before the House rises for summer recess; that the House leaders agree to the allotted time for debate; and that immediately after second reading, the vote be called for third reading.

**The Speaker:** Does Mr. Klees have consent? No. I heard a no.



## PETITIONS

### SCHOOL FACILITIES

**Mr. Jim Wilson (Simcoe–Grey):** “To the Legislative Assembly of Ontario:

“Whereas the parents of St. Paul’s elementary school in Alliston have raised many issues regarding the security, cleanliness and state of repair of their school; and

“Whereas a 2003 condition assessment completed by the Ontario government identified the need for \$1.8 million in repairs to St. Paul’s elementary school; and

“Whereas the Simcoe Muskoka Catholic District School Board has approached the Ministry of Education with the intention of having the school deemed prohibitive to repair as they believe the school requires \$2.28 million in repairs, or 84% of the school replacement cost; and

“Whereas there are ongoing concerns with air quality, heating and ventilation, electrical, plumbing, lack of air conditioning and the overall structure of the building, including cracks from floor to ceiling, to name a few;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Minister of Education immediately deem St. Paul’s elementary school prohibitive to repair, secure immediate funding and begin construction of a new facility so that the children of St. Paul’s can be educated in a facility that is secure and offers them the respect and dignity that they deserve.”

I agree with this petition. I attended this school myself from kindergarten to grade 8, and my mom taught in this school for 33 years.

### CHILD CUSTODY

**Mr. Kim Craitor (Niagara Falls):** I’m pleased to introduce a petition to the Legislative Assembly of Ontario on behalf of my riding of Niagara Falls.

“Whereas the people of the province of Ontario deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and their grandparents; and

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact

with each parent and grandparent as is consistent with the best interests of the child.

“Subsection 24(2.2) requires that a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child.

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents,” as in the bill introduced by MPP Kim Craitor, Bill 8.

1550

### ROAD SAFETY

**Mr. Garfield Dunlop (Simcoe North):** I’m very pleased to present this petition today with thousands of signatures from people in the village of Coldwater and area. It says:

“To the Legislative Assembly of Ontario:

“Whereas a number of lives have been lost through a history of motor vehicle accidents at the intersection of Highway 12 and Woodrow Side Road over the past several years;

“Therefore we, the undersigned, petition the Legislative Assembly to have the Ministry of Transportation install traffic lights at this intersection, along with a set of traffic lights at the intersection of Highway 12 and Sturgeon Bay Road immediately, before any more lives are lost.”

I’m pleased to agree with this petition and give it to Anni to present to the table.

### IDENTITY THEFT

**Mr. Tony Ruprecht (Davenport):** I do keep getting petitions to the Ministry of Government Services and the Parliament of Ontario. This petition reads as follows:

“Whereas identity theft is the fastest-growing crime in North America;

“Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

“Whereas the cost of this crime exceeds billions of dollars;

“Whereas countless hours are wasted to restore one’s good credit rating;

“We, the undersigned, demand that Bill 38, which passed the second reading unanimously in the Ontario Legislature on December 8, 2005, be brought before committee and that the following issues be included for consideration and debate:

“(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information such as SIN and credit card numbers.

“(2) Should a credit bureau discover that there has been a breach of consumer information, the agency should immediately inform the victimized consumer.

“(3) Credit bureaus should only report inquiries resulting out of actual applications for credit and for no other reasons.

“(4) Credit bureaus should investigate any complaints within 30 days and correct or automatically delete any information found unconfirmed or inaccurate.”

Since I agree, I'm delighted to sign this petition.

#### GASOLINE PRICES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present another in a series of petitions called “Give us a Break at the Gas Pumps.”

“To the Legislative Assembly of Ontario:

“Whereas gasoline prices are at the highest level ever; and

“Whereas with higher taxes, higher hydro rates, user fees and now skyrocketing gas prices, working families, seniors and youth cannot make ends meet; and

“Whereas before being elected Premier, Dalton McGuinty promised he had three ‘solid ideas’ to reduce gas prices, but as Premier has done nothing; and

“Whereas provincial tax on gas is 14 cents per litre and federal tax is 10 cents per litre plus 7% GST (a tax on a tax);

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The Ontario government and federal government should act to give consumers a break to compensate for skyrocketing gas prices.”

With a series of constituents from Wainfleet and Port Colborne, I affix my signature in support.

#### IMMIGRANTS' SKILLS

**Mr. Tony Ruprecht (Davenport):** This petition focuses on internationally trained persons and lowering the barriers for them to access professional work. It reads as follows:

“Whereas the Ontario government recognizes the need to match internationally trained persons with professional work experience in their related fields; and

“Whereas the Ontario government is dedicated to making sure new Ontarians achieve long-term success in developing and sustaining their career goals; and

“Whereas the creation of 24 new bridge programs, bringing the total amount to 60 over the next three years, will help to make these goals a reality; and

“Whereas this funding of \$14 million over the next three years will assist more than 3,000 internationally trained persons to increase their language skills, training and exam preparation;

“We, the undersigned, respectfully petition the Parliament of Ontario as follows:

“That all members of the House support the new funding for further bridge training programs in order to create a more inclusive and successful environment for newcomers to the province.”

I'm delighted to sign this petition since I agree with it 100%.

#### EDUCATION FUNDING

**The Speaker (Hon. Michael A. Brown):** Petitions. The member for Durham.

**Mr. John O'Toole (Durham):** Persistence pays off, I guess.

“Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only Western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces in Canada except for the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable, and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I'm pleased to support this fair-minded petition.

#### MACULAR DEGENERATION

**Mr. Kim Craitor (Niagara Falls):** I'm pleased to introduce the following petition on behalf of my riding of Niagara Falls and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (known as wet), there are other forms of macular degeneration (known as dry) that are not covered,



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most individuals and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance plan."

I'm pleased to support this petition by signing my signature to it.

### LONG-TERM CARE

**The Speaker (Hon. Michael A. Brown):** Petitions. The member for Durham.

**Mr. John O'Toole (Durham):** Thank you, Mr Speaker. Patience really does pay off.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm reading this petition on behalf of Centennial Care in Millbrook where my mother-in-law, Madge Hall, is a resident.

1600

**Mr. Tony Ruprecht (Davenport):** This petition has to do with the Portuguese-Canadian senior citizens' long-term-care home. It's addressed to the Legislature of Ontario, and it reads as follows:

"Whereas:

"Portuguese Canadians number" over 171,000 "in the Toronto census metropolitan area, many of whom encounter serious barriers (language, culture and location) to accessing community and long-term services; and

"There are no long-term-care homes dedicated to the needs of Portuguese-Canadian seniors; and

"Camões House for the Aged and Portuguese Community Centre of Toronto is proposing a partnership with a local long-term-care provider to purchase up to 160 existing beds in the Toronto area (for a nominal fee) to develop a Portuguese-Canadian long-term-care home in Toronto. This partnership is tentative and is dependent on the approval of the Ministry of Health and Long-Term Care;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We encourage the Minister of Health and Long-Term Care, his staff and members of the Legislature to support the Camões proposal and to make the appropriate administrative and policy changes required to develop a Portuguese-Canadian long-term-care home in Toronto."

Since I agree, I'm delighted to sign this petition.

### EDUCATION FUNDING

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition similar to that of my colleague from Durham. It's a long petition, but in the interest of giving Mr. Ruprecht and Mr. Craiton time today, I'll try to be brief.

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold..."

There are a number of other "whereases," and it concludes by saying:

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

In support, I affix my signature.

### ORDERS OF THE DAY

#### MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006

#### LOI DE 2006 SUR LES MAISONS DE COURTAGE D'HYPOTHÈQUES, LES PRÊTEURS HYPOTHÉCAIRES ET LES ADMINISTRATEURS D'HYPOTHÈQUES

Mr. Sorbara moved second reading of the following bill:

Bill 65, An Act respecting mortgage brokerages, lenders and administrators / Projet de loi 65, Loi con-



cernant les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques.

**The Acting Speaker (Mr. Michael Prue):** Mr. Sorbara has moved second reading of Bill 65, An Act respecting mortgage brokerages, lenders and administrators. Mr. Sorbara.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I'm very pleased indeed to lead off second reading debate on this bill. To sum up in very quick terms what this bill does, it replaces an outdated, ineffective, now kind of archaic bill regulating the business of mortgage brokerage in the province, an act that dates back to 1971. I'm sure there have been a couple of amendments to it since that time, but we are doing some very good renovation work to a very important piece of legislation.

To summarize the impact of the bill, it will really do three things: It will improve consumer protection, it will enhance the quality of financial regulation and it will encourage greater competition and choice for consumers.

In leading off this debate, I really want to make three points about this new piece of legislation: I want to say a word or two about why we need the changes that are being incorporated here, I want to talk a little bit about how the bill will bring about the improvements that are contemplated, and finally, I want to put the bill in an economic context.

But first I want to express our government's appreciation, and my personal appreciation, for the work that has gone into this bill among stakeholders, among my colleagues, among opposition members who have contributed to the discussion and, indeed, among people in my own staff. Can I first point out, among the stakeholders, a word of thanks to Ron Swift, who is the president, and Jim Murphy, who is the senior director of the Canadian Institute of Mortgage Brokers and Lenders.

I want to acknowledge Jeff Atlin, who is the director of the Independent Mortgage Brokers Association of Ontario; and similarly, Miss Eleanor Friedland, who is the vice-president of the Consumers Council of Canada. As I said, consumer protection is a very important part of this bill, and her advice was very helpful.

I want to also acknowledge the CEO of the Law Society of Upper Canada, Malcolm Heins.

Finally, among stakeholders, I want to thank Jim Flood, director of the Ontario Real Estate Association. Those of us who have spent quite a bit of time around these parts know the dedication of Jim Flood on behalf of the Ontario Real Estate Association.

Can I also just, by way of introduction, pay tribute to my predecessor Dwight Duncan. He was the Minister of Finance at the time the bill was introduced, and it was his energy that actually got the bill to the floor of this House for first reading. But even before that, Mike Colle—now the Minister of Citizenship and Immigration—as my parliamentary assistant, led a very extensive consultation process that really brought all the parties I spoke about together and led to the creation and the structure of the bill.

Mike was succeeded by my parliamentary assistant, Wayne Arthurs, our member from Pickering-Ajax, who continued with the same level of enthusiasm and will take on responsibility of ensuring that this bill goes from this debate to consideration in committee, to third reading, and then be enacted in law.

I also want to express my own appreciation to officials from the Ministry of Finance and to the members of the Financial Services Commission of Ontario who have worked with us to make sure that the legislation was properly designed and had the proper mechanisms to ensure it would achieve the public objectives that are at the foundation of the bill.

In that regard, if I might pay a final debt of gratitude to a person who is amongst a constituency that is not often mentioned in this Legislature; and this is a senior policy adviser in my own office, Arthur Lofsky, whom many of you know. The irony of bills like this is, as minister, I have the honour and the obligation to stand up and speak about the bill. Often, when this gets written about, someone will say, "The Minister of Finance has finally achieved a breakthrough with a new Mortgage Brokers Act." But the truth is that most of the real work is done by hard-working men and women in my office like Arthur Lofsky, who just continues to work and work on issues. So I want to acknowledge him as we get into the final discussions of this bill.

**Mr. Tim Hudak (Erie-Lincoln):** He's blushing, Minister.

**Hon. Mr. Sorbara:** Arthur has never blushed in his life, I don't think, or he would never admit to it.

Can I say a word about the changing environment? We're talking about a bill that succeeds a bill introduced 35 years ago, in 1971. The world of home purchasing was very different at that time. The nature of the mortgage market was very different at that time. To the extent that we have seen changes in that market, and particularly the financing part of the market, I think it's fair to say that the government has not kept up in ensuring that the regulation of that interchange between mortgage buyer and mortgage broker or mortgage seller has kept up.

So we've had a very big change there, and now we're renovating this piece of financial regulation to ensure that we have much better consumer protection, that we have provisions within the act for strong enforcement and that we have mechanisms to ensure there is good, strong competition.

Can I just go through a few quick facts about this aspect of the financial services industry and the mortgage brokerage business? I think a lot of people aren't even quite sure what one is talking about when one says "mortgage brokers." When we are buying a house—for virtually every Ontarian, the largest and most significant purchase of a lifetime—sometimes a mortgage that was pre-existing on the house is assumed, sometimes one will deal with one's traditional banker, sometimes one has arrangements for a mortgage through a friend or through an associate, but increasingly, financial services in this



area of mortgages have an intervening broker, whose obligation is to ensure the transaction is fair and equitable. Certainly, those are the kinds of regulations we are trying to bring about.

1610

Just a few quick, key facts: All mortgage brokers and agents would need to be licensed under our new provisions. Mortgage brokerages—that is, the businesses that employ mortgage brokers—would be responsible for the proper supervision of their brokers and agents, and the new act will provide for that supervision. Administrative penalties would be used to encourage compliance with the act.

Quickly, just to give a few numbers to put this in context, as of January 1 of this year, there were over 900 mortgage brokers—that's over 900 businesses—registered with the Financial Services Commission of Ontario; there were over 7,200 agents listed by their brokers with the Financial Services Commission of Ontario; and almost 8,400 real estate brokers were deemed to be registered with the Financial Services Commission of Ontario under the previous act.

Under the new system, with more effective registration, more effective enforcement and more effective oversight by the commission, we expect that about 10,000 individuals will be registered under the new act. That would include the over 900 mortgage brokers—900 businesses—all 7,000 agents who are currently registered, and at least 2,000 real estate brokers who actually participate in this business and act as brokers, and who would be required to register under the new act and, importantly, be subject to the educational requirements to ensure they are living within both the spirit and the four corners of this better consumer protection and this improved system for regulating the business.

I would like to put this initiative in some sort of context within the much larger economic environment in Ontario. Economists of any stripe and any persuasion—let me put it more simply. There is unanimity among economists that in a jurisdiction like Ontario, in order to grow a stronger economy, in order to create more vital and more vibrant economic activity, there are a number of things governments need to do. They need to ensure there is a competitive tax environment. In Ontario, we have a very competitive tax environment, particularly when you compare us with our competitors throughout a variety of US state jurisdictions and the US itself. You have to have the ability to make strategic investments to ensure that the real potential of an industry or a sector is being realized. Finally, you need to be able to create a regulatory environment that inspires the confidence of the working men and women and the businesses that really generate the economic activity for the province.

If I might say so, I think in Ontario we have been very strong in those three areas. I think, for example, of the announcements made yesterday by my colleague the Minister of Energy: an energy plan for Ontario that will see us to 2025 and, as it is implemented, ensure that we have a security of supply of electrical energy that is affordable and reliable.

If you ask me, I think that's exactly what the people of Ontario expect of us. I think all of us, and maybe even some people on the other side of this Legislature, are pretty proud of the fact that Ontario now has an energy plan, a regulatory framework to achieve the kinds of demands we're going to see in the energy sector over the course of the next 20 years, to 2025.

Within the context of economic environment, I think you will forgive me if I trumpet a little bit the success Ontario has had over the course of the past two and a half years. The most recent statistics—they came out last Friday—indicate that since October 2003, this province has created 288,000 new jobs, and just to put some more focus and emphasis on that, what is very inspiring to a finance minister, whose responsibility is to ensure we have a stronger and stronger economic reputation in this province, is that 99% of those 288,000 new jobs are full-time jobs. That means employers making full-time commitments to hire the men and women who are looking for opportunity in this province.

Yes, we are not growing at the rate Alberta is growing. Those are special circumstances. But we are once again leading the country in terms of the strength of our economic growth and the quality of our job creation: last month alone, some 34,000 new jobs in Ontario, virtually all of them full-time jobs.

I'm not suggesting to my friends in this Legislature that somehow this government and these benches should be taking credit for that. Far from it. This is a tribute to the imagination and the adventure, a tribute to the risk-taking of the men and women who own and run businesses in this province and the availability of a workforce to take up those opportunities.

We have a wide variety of challenges over the course of the next month, the next year, the next decade. We're part of an economic environment. We're part of a trading circle. Our major trading partner, the United States of America, continues to have growth in their economy, but who knows when that might change? The value of our dollar continues to increase and that puts extreme pressure on those in this province that manufacture here and export their products.

Certainly I understand within that context why on a regular basis we have questions from the other side of the House about manufacturing jobs and the loss of manufacturing jobs, and there is some shrinkage; there is no doubt about that. But when you compare how our manufacturing sector has been able to withstand the storm of a higher dollar and greater competition from, among other jurisdictions, China and India, I think that says a real lot about the resilience of the Ontario manufacturing sector and, more broadly, the Ontario economy.

I want to tie this back in now, if I can, to the immediate business at hand, which is the Mortgage Brokerages, Lenders and Administrators Act. They did a great job designing the bill, but the title of the bill is a mouthful, and maybe one day we'll fix that up as well.

1620

We're here at second reading. We're going to hear from our friends on the other side of the House and other



members, and I think probably my own parliamentary assistant will have a few words to say about it. Maybe even Mike Colle, whose fingerprints are on this bill from its early stages, may have an opportunity to take time out to say a word about it.

The beauty of this piece of legislation is that it doesn't give rise to differentiation in politics. I think it's fair to suggest that whether the former government—the PCs—were in power or, heaven help us, the NDP were in power, they would be revising this act and it wouldn't be all that different, although I do think that the quality of the input we've had and the dedication from staff—political staff and other members—means that we've got a pretty good product here.

I commend this bill for second reading and consideration by this House.

**The Acting Speaker:** Questions and comments?

**Mr. Hudak:** I'm pleased to respond to the minister's opening comments. I'll have a chance to respond in a more fulsome manner shortly. The minister did mention the awkward title of the act, the Mortgage Brokerages, Lenders and Administrators Act, 2006, a.k.a. Bill 65. He did mention with some fondness the excellent work of his assistant, Arthur Lofsky. From time to time we do name bills after individuals, so maybe if we have committee time, we could look at calling the act the Arthur Lofsky Act, to recognize that hard work.

I appreciate the minister's comments. This is a bill that he personally has worked on extensively. His former parliamentary assistant, now Minister of Citizenship and Immigration, also played a significant role in its development—of course, as the minister noted appropriately, supported by his staff.

We're pleased that we have an opportunity to speak to this bill, which is in a very general sense a non-contentious bill. There are a number of areas where I think we need some greater clarity. There is a significant amount of work that is left up to the regulations. We hope that we'll have an opportunity, maybe at the finance and economic affairs committee, to review the legislation in detail. I did ask the minister at estimates just this past week if some of these more contentious areas that will be subject to regulation—if we could see some draft regulations at committee. I think that would help expedite the committee process. Then we could hear from interested stakeholders, for example, what kind of exemptions should be granted under the bill and under what circumstances. We may have those in the legal profession who will feel a certain way. We'll have some in the real estate profession who will have their point of view. We'll have others who are mortgage brokers specifically, who will probably want a very tight—and justifiably so—exemption rule. Simple referrals would be another one, and I'll get to that a bit more in my remarks.

I thank the minister for responding rather quickly to my request at estimates committee. I think within a matter of days now we have it before us for second reading debate. I look forward to longer comments shortly.

**Mr. Peter Tabuns (Toronto-Danforth):** I want to thank the member from Erie-Lincoln for his comments. I

think, in balance, he's correct: This is largely a non-contentious bill. There are questions that will arise in the course of this debate and certainly questions that arise because so much is left to regulation. I think the member is quite accurate: If in fact draft regulations are brought forward so we can have a better sense, in detail, of what is going to be there, I think that will give comfort to all who will be part of the process in the committee reviewing this bill.

I appreciate the comments from the Minister of Finance. When we have a bill that's relatively non-contentious, it's useful for him to broaden out the debate, to look at the larger economic context within which this bill is presented and within which we have to consider its ramifications; for instance, the whole context of energy supply. Those people who will be carrying mortgages will want to ensure that other expenses that are not directly under their control won't zoom out of control; for instance, expenses around energy itself, both natural gas, oil and electricity. All of those are of concern.

I am profoundly concerned, as are many others, about the plan that was introduced by this government yesterday, a plan that I think is a guarantee for cost overrun, a guarantee for instability, and potentially a plan that threatens the finances of this province.

As all of us who get a hydro bill know, we see a debt charge on those bills. That debt charge is what we're paying to cover the cost of nuclear power, and nuclear reactors that aren't producing power or that can only produce power after huge infusions of cash. So making those energy choices is going to have a huge impact on mortgage payers in this province. I appreciate the opportunity to get at the context this act will be operating within.

**Mr. Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate today on Bill 65. As you know, I come from a riding that has not only a booming economy but a booming housing industry. People from Toronto, from other parts of Ontario, from other parts of Canada, in fact from the four corners of the globe, are deciding they want to make my community their home. The way that is being done, obviously, is in those areas that have been approved for growth by this government and the local government under the Greenbelt Act, and the Places to Grow Act is leading to the building of homes. The building trades are doing quite well at this time in my community as well.

The biggest purchase most people are going to make in their lifetime is the purchase of a home. My constituents expect they're going to be protected when they enter into that agreement. When you look back at the legislation that has governed the mortgage industry in the past, you realize it hasn't been seriously looked at since the early 1970s. It's about time some level of government did take a look at it. I'm very pleased to see that the minister is bringing this new act forward.

As I understand it, it's going to provide for four types of new licences that may be issued by the superintendent of financial services. You can get a brokerage licence, a



mortgage broker's licence, a mortgage agent's licence or a mortgage administrator's licence.

I think all parties would be doing the responsible thing, subject to any amendments and to anything that may happen at committee, and supporting Bill 65 to ensure that the people we all represent, all of our constituents, have confidence that they have full protection when they enter into what is probably the largest financial agreement and the largest purchase they will make in their entire life.

We know that people often buy and sell homes; they may do this a number of times in their lives. But for the average person, it's the high point of their financial exchange. They deserve the protection of this House.

**Mr. John O'Toole (Durham):** I'm quite interested in this bill, with such a robust economy in the housing field in Durham region. More importantly, I'm interested in the comments by the minister. He didn't use all his time, but perhaps there isn't really that much in the bill. It's a little longer, and it's been described by a couple of members as more or less unique to one particular sector in the mortgage business.

I am interested in the member from Erie-Lincoln's comments this afternoon, and I'm sort of hanging around for those to happen. There are a couple of sections in here which are quite unique. Having some interest in this area—it has been said by the previous speaker that it is an important decision where consumer protection is an important issue. To avoid any uncertainties in the mortgage market and for the certainty of those mortgages and who is delivering what information to whom, it is an important bill.

I wouldn't like to dismiss it offhand, but Bill 65 has got a rather long preamble to it. Under the current provisions of the Mortgage Brokers Act, there are certain portions that are not in force, but under the new act they are enforced. Then there are some exemptions in imposing it with respect to foreign ownership issues and those mortgages being secured on properties in foreign areas. That needs to be clarified as well.

I'm certain there will be public hearings, although it is more or less an industry-specific bill. A lot of citizens may not want to know a lot about it. Quite frankly, in my constituency I have heard only from one particular mortgage broker in the area, with whom I'm familiar.

There are significant penalties here for failure to comply. This is another part where I need to know what process is going to be brought about to make sure this is done in a fair way.

1630

**The Acting Speaker:** The Minister of Finance.

**Hon. Mr. Sorbara:** I've listened carefully to all the comments. I know of the interest of my friend from Erie-Lincoln in this bill, and we did have some discussions in estimates, and that will follow through this process as we go to clause-by-clause.

I was particularly interested, however, in the comments of one of our newest members, the member from Toronto-Danforth. I was amazed at his ability to go from

my remarks on what the bill is about to the member from Erie-Lincoln's comments and then, within the two minutes allotted for questions and comments, to point out the fact that people in Ontario—everyone in Ontario—are paying a debt-retirement charge as a result of the political and administrative mistakes in the area of energy that characterize years of Conservative government in the province and five years when his own party was making disastrous decisions on energy. I think it was wonderful of him, in the two minutes that he had, to acknowledge those mistakes and that the burden we all have to bear right now, sir, is in the form of a debt-retirement charge. I know that if he had had longer and a little bit of a truth serum, he would have wanted to compliment us on the energy plan that my colleague the Minister of Energy presented yesterday, because finally we have a government that has the courage to make the decisions that will ensure that this province has security of supply on energy from now over the next 25 years and as we continue over the next century. I just regret that my friend didn't have enough time to do that. Thank you very much, sir.

**The Acting Speaker:** Further debate?

**Mr. Hudak:** I'm pleased to rise and offer comment on Bill 65, the Mortgage Brokerages, Lenders and Administrators Act, 2006, a.k.a. the Arthur Lofsky act. I would say to my friend and colleague the Minister of Finance, I don't think you'd find too many of us who were happy with the so-called plan of the Minister of Energy. It probably should sit on the fiction shelf at your local library, along with the infamous campaign promises the Liberals have made, I think every one of which has been broken on the energy side. In that energy chapter, I don't know how many are remaining. I know the Minister of Finance is a good person. I know he wants to throw some compliments to the Minister of Energy because he probably feels bad that the poor Minister of Energy had to go back to the energy file, which is certainly not an easy file. We have welcomed the Minister of Finance back into the finance minister's chair. I think members of all parties have made such comments. But I know part of him feels for his colleague who has been put back into the Ministry of Energy and was forced to break some major promises this week, whether it's to do with the coal plant closure, the conversion in Thunder Bay or, as my colleague Mr. Tabuns has spoken about, the—what did you call it? Go big, go nuclear—hit the nuclear button. I understand it has been a tough week from the Minister of Energy, or a tough couple of weeks.

**Hon. Mr. Sorbara:** It was his finest hour yesterday.

**Mr. Hudak:** In the face of adversity, people will look for their finest hour. But certainly, with respect to the number of surviving Dalton McGuinty campaign promises in the energy file, a lot of casualties took place during that adversity this past week.

I'll return to Bill 65 and speak a bit to the legislation, outline where the official opposition is coming from on the legislation. I'll reiterate to some extent my call for committee hearings so we can hear from concerned



individuals and groups on the legislation. We hope to have some draft regulations on some of the major issues of concern and some related matters with respect to the mortgage brokerage industry and mortgages in general.

You know, I have an appreciation for what is at the heart of Bill 65, which is consumer protection. I had the opportunity of serving as a Minister of Consumer and Business Services, as it was called at that point in time, during 2002 and 2003, and brought forward a piece of legislation; the short title was consumer protection for the 21st century, CP 21 for short. I know my colleague actually had served as a consumer minister, if I recall, previously as well. This modernized much of the consumer protection legislation, some of which had been even older than the Mortgage Brokers Act, which is 30 years old, if I remember correctly. In the funeral services industry, for example, the Cemeteries Act, while it had been reviewed from time to time, was really at its heart about 80 or 90 years old. So CP21 was brought forward to modernize some of those to increase consumer protection; a number of greater powers for government, for law enforcement officers and other agencies to protect consumers. I know the current Minister of Government Services has been able to announce some of those initiatives, as well.

**Hon. Mr. Sorbara:** And take credit for them.

**Mr. Hudak:** He says, "Take credit for them." I noted with regret that, unless I didn't read the backgrounders closely enough and scrutinize them, my name didn't often appear in the minister's press releases. I think that was merely an oversight.

**Hon. Mr. Sorbara:** He speaks very highly of you; I know that.

**Mr. Hudak:** That's good to hear and I'm pleased to see him carrying on with consumer protection.

I will get this on the record while I'm speaking about consumer protection initiatives as a whole. The funeral services industry has largely expressed concern about the very slow pace of the regulations. I get that on the record in response to some of my friends who are in that industry who bring this to my attention, as the former minister, from time to time. I know the Minister of Government Services will get on that issue and hopefully finalize regulations to modernize that aspect of consumer protection.

Thirty years ago was when the mortgage—what was it called?—the Mortgage Brokers Act, which was the shorter name—it was 30 years ago, but since that time, as my colleague has indicated, the industry has changed substantially. The number of people who are seeking mortgages would be of no comparison to what existed 30 years ago, and the value of the mortgages sought in Canada would be astronomical compared to the value of mortgages 30 years ago.

Thankfully, in response to that, there's increased competition in the system, and competition, at its heart, is always good in giving consumers options to shop around. While I know the majority still have a preference for their usual bank or financial institution or sometimes

their credit union, the mortgage brokerage industry, those that are strictly mortgage brokers, has increased remarkably, which is a good thing.

At the same time, we need to ensure that for consumers, the vast majority of whom, as the minister said, are making the biggest purchase of their entire lives, proper consumer protections are in place so that individuals who are shopping around, whether it's a financial institution or a mortgage broker or a credit union or what have you, could be assured that there is a high quality, a high standard, that the individuals who are selling them or giving them advice on mortgage options have the proper level of education, and that there are repercussions, for example, if there is any kind of fraud or intentionally bad advice from those particular individuals. I know that the bill, and I'll get to it in a bit more detail later on, gives the superintendent much greater ability to enforce penalties, to suspend or even to eliminate licences, and to move much more quickly than previous enforcement options under the 30-year-old act would have imagined.

To give credit to the Minister of Finance and his previous parliamentary assistant, Mr. Colle, who is now the Minister of Citizenship and Immigration, this bill has had good consultation with the industry. If I recall, I think it was in the 2004 budget that the government first announced its intention to modernize the rules around brokerages for mortgages, and a consultation paper, Mr. Speaker, that I know you, as the finance critic for the third party, read and read over again, entitled Improving the Mortgage Brokers Act, was released in June 2004. That then resulted in a draft piece of legislation, which, by the way, is a good tool to use from time to time.

As consumer minister, as I mentioned before, I worked on privacy legislation and we brought forward draft legislation on privacy laws. It's a good way to have a bill that will affect many different sectors, as well as consumers or individuals—to actually see the direction of the government and give response. It's something I'd like to encourage more often from the Dalton McGuinty government, these types of draft bills, so you can see how the whole piece fits together. For example, there was some concern when it came to the recent Bill 102, the drug transparency act.

1640

Whether it was patient groups, brand name manufacturers, generic pharmaceutical companies, pharmacists, doctors or those interested in this field, it seemed to be a mystery where Bill 102 came from. The Minister of Health had said there were broad consultations through Ms. Stevenson, if I remember the name correctly. But what I heard from all of those groups, frankly, was that there was no real consultation on the bill. They talked about the industry, they talked about how the Ontario drug benefit program works in a very general sense, they spoke about cost control in a general sense, but some of the measures that were brought forward in Bill 102 had not been contemplated, had not been spoken about by the government. As a result, you saw very strong reaction



from pharmacists, patient groups and brand name manufacturers that do a lot of research in Ontario.

A number of amendments were brought forward—I forget the exact number, but a significant number of amendments were brought forward. Still, you have more to do in the regulatory process, and the official opposition, through our hard-working critic for health, the member for Waterloo, Mrs. Witmer, will be watching very closely. But that's an example of poor planning. And the result? Massive amendments were brought forward.

This Bill 65 took an opposite path. As I indicated, there was an early consultation document followed by draft legislation. So the major players in the area, which clearly are mortgage brokers—CIMBL acting for a large part of that field—the real estate industry, the lawyers I mentioned, consumer activists, and ordinary families and individuals who have concerns around the mortgage brokerage industry, all had an opportunity to comment on that draft legislation. If my recall and my notes are correct, Mr. Colle, who was then parliamentary assistant, also did some technical briefings and round tables, and I'll give them credit for that.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Colle's notes.

**Mr. Hudak:** My colleague calls them Colle's notes, which is clever. Is that the first time that one's been used?

**Mr. McMeekin:** First time.

**Hon. Mr. Sorbara:** No, no.

**Mr. Hudak:** There seems to be some disagreement if that was the first time "Colle's notes" has been used, but it's actually the first time I've heard it used in the assembly, and I'll give the member credit. That's a clever pun.

I need to get this on the record. As the Minister of Finance knows, I've brought forward my Homestead Act, which has passed second reading in the Legislature and awaits committee hearings, hopefully in the near future. As part of that process, we have been looking for the Colle's notes on the work Mr. Colle, as the parliamentary assistant, had done on the assessment sector. My colleague the member for Beaches–East York and I asked a number of questions about that at estimates.

**Hon. Mr. Sorbara:** I don't know.

**Mr. Hudak:** We haven't found the Colle's notes. We haven't been able to obtain the Colle's notes at this point in time. Usually, you can go to the store—and many of us may have done this, gone to the local bookstore and purchased Coles Notes. If you had a book report due the next day, often that was a way of helping to understand the book as you read it at the same time.

**Hon. Mr. Sorbara:** You should go and ask at Coles whether they've got Mike's notes on assessment.

**Mr. Hudak:** Maybe that's where they have disappeared to. Maybe if I go to Indigo just down the road, they will have my Colle's notes on property assessment. I'm not going to put any money on it. I think my bank card will remain untouched if that's the only venture I take to Indigo today.

On a more serious note, I hope if there was any work actually done with respect to property assessment, a report given to the Minister of Finance or within the ministry, that will finally be tabled in the Legislature so we can see what Mr. Colle's advice was at that point in time with respect to property assessment.

Also, in the 2004 budget, which I just referenced a few moments ago, there was a reference that the Ministry of Finance would bring forward protections for homeowners from skyrocketing assessments—I'm not sure that was the exact language, but it was in that ballpark—for the 2006 assessment year. Those have yet to be produced, even though we are well into the 2006 taxation year. Maybe more are forthcoming; maybe we'll see them in 2007, before the election. That remains to be seen. But certainly, when we saw the response—

**Hon. Mr. Sorbara:** Don't be cynical.

**Mr. Hudak:** I don't think that was cynical, particularly. I was trying for some sort of optimism.

When the Homestead Act was brought forward, which I know my colleague from Peterborough is a big fan of, there was a lot of public interest surrounding that act. In fact, we did have members—I think 11 members—of the governing party who effectively defied the Premier and then finance minister and voted for the act. So I will stress it again with the minister, who is kind enough to be here today, to move that forward, and if the Colle's notes are available to go hand in hand with the Homestead Act, we would appreciate reading them.

Where do we go from there? Mr. Colle, at that time, did good Coles Notes that I guess found favour in the industry and then shortly thereafter we saw a bill introduced. If I recall, in February or so, Bill 65 was introduced for first reading by then-Finance Minister Duncan.

Let me talk about some of the differences between the old bill, the Mortgage Brokers Act and the new bill, the Arthur Lofsky act. The Mortgage Brokers Act that—

*Interjection.*

**Mr. Hudak:** I'm pushing for it. I will move the amendment if you give me time in committee. We'll see what kind of advice you give the government members of the committee in that respect. You might have to declare a conflict of interest.

The current act, if I understand, meant that "persons who carry on the business of lending money on the security of real estate or who carry on the business of dealing in mortgages are required under the act to be registered with the Superintendent of Financial Services. Certain financial institutions and employees acting on behalf of an employer are not required to be registered under the act. Individuals authorized to deal in mortgages on behalf of a mortgage broker (commonly called mortgage agents) are not required to be registered under the act. Real estate brokers" at the time were "deemed to be registered under the act." That's the Mortgage Brokers Act, Mr. Speaker, that I know you're familiar with, dating from 30 years ago, which would have put it in—let me see. We don't know who the minister would have been at that point in time.



**Hon. Mr. Sorbara:** Thirty-five actually.

**Mr. Hudak:** Was it 35 years ago?

**Hon. Mr. Sorbara:** So it was 1971. Yes.

**Mr. Hudak:** We don't know if it was the Davis or the Robarts administration. Maybe it was Norm Sterling who was the minister.

**Hon. Mr. Sorbara:** It could have been. Anywhere in the past 60 years it could have been Norm.

**Mr. Hudak:** I don't know if that one will make Hansard.

So what does this new act do? It will modernize the legislation. We'll give the government credit for the broad strokes on the bill. The following activities will be regulated under Bill 65: dealing in mortgages in Ontario, trading in mortgages in Ontario, carrying on business as a mortgage lender in Ontario and carrying on the business of administering mortgages in Ontario.

As I think my colleague from Oakville had mentioned in his two-minute remarks, there will be four types of licences. What would you call it? Tiered licensing, I guess. Some licences would mean that they'd have a more direct relationship with consumers and be expected to have a higher degree of knowledge, and therefore a higher level of trust that consumers would place in that individual, and therefore they would have the higher degree of licence, which would be subject to greater standards, higher standards. Then those who play what is more accurately described as an administrative role that wouldn't have as much of a trusting relationship, just carrying out the instructions of somebody who would be a mortgage broker, would be at the other end of that tier. The restrictions or standards around that particular licence would likely, at the end of the day, not be as strict as those that are higher, and then individuals would identify their role in the mortgage brokerage industry and file for the appropriate licence. So they were a brokerage licence, a mortgage broker's licence, a mortgage agent's licence and a mortgage administrator's licence.

Let me go on to tell you about Bill 65 versus Bill 30. "Individuals who are remunerated for dealing in mortgages or trading in mortgages in Ontario, as employees or otherwise, are required to have a mortgage broker's or mortgage agent's licence. Brokers and agents are restricted to acting on behalf of the brokerage specified in their" particular "licence. Agents may only deal or trade in mortgages under the supervision of a mortgage broker." In contrast to the 35-year-old Mortgage Brokers Act, this new act does not deem real estate brokers to be licensed.

I was curious when I read the bill after its first reading introduction and made some contacts with the Ontario Real Estate Association to see their response, thinking that OREA may have some objections because previously they'd been deemed and now they will no longer be deemed. But OREA seemed largely satisfied with the general intent of the bill. I think they will have concerns, as I mentioned earlier, on some of the regulations, some of the exemptions that exist, but largely, OREA feels that they had an opportunity earlier on, with respect to the draft legislation, to have their say.

I look forward to them coming to committee to fully understand OREA's point of view on the legislation, but I believe that OREA feels that Bill 65 is important. We'll have that opportunity, I think, at committee and we'll verify that, but that was the drama in my presentation so far, I'd say to the minister, that before they were deemed and now they are no longer deemed to be licensed under the act.

**1650**

As I mentioned, there will be regulations around the different types of licences under the act. Some details for that will be forthcoming and they will change over time, I think appropriately, as the market changes, as new opportunities come forward. New products may come forward in this sector as well. It will give the minister of the day the opportunity to modernize the regulations. I would expect full consultation with interested parties on changing those standards appropriately, and I would expect we'll be raising those standards increasingly over time as part of the consumer protection measures.

I mentioned exemptions a bit earlier in my remarks. A couple of those exemptions: "Financial institutions and their employees are exempted from the requirement to be licensed. Persons and entities that provide simple referrals are exempted from the requirement to be licensed if they provide specified information to the prospective lender and prospective borrower and comply with additional requirements that may be prescribed by regulation." There may also be exemptions "from the requirement to be licensed, including exemptions for lawyers" as "prescribed by regulation."

That's why I believe it is important that those draft regulations be brought forward to the appropriate committee, which I would expect to be the committee on finance and economic affairs. With respect to Bill 65, the government had brought forward draft legislation and I think, appropriately, they should bring forward draft regulations too for consideration. In fact, I had mentioned earlier that this was the process followed on the privacy act with respect to draft legislation, and draft regulations were a common practice for consumer protection legislation—CP21, I had mentioned. Sometimes that takes time. Some of them move forward faster than others. But I do have an overriding concern that, on the funeral services side, in the Cemeteries Act it has taken far too long. Nonetheless, I think it's a fair request to have draft regulations around things like simple referral and exemptions prepared for the committee whenever we have the chance to meet.

As is typical of types of consumer protection legislation, to provide clarity to consumers, especially in an area that's so sensitive and such a massive investment by individuals and a degree of complexity when you're looking at various mortgage options, "The act restricts the use of the titles "mortgage brokerage," "mortgage broker," "mortgage agent" and "mortgage administrator" and their French equivalents to persons and entities licensed as such under the act."

I think that's rather obvious. It should do so, but that's not often the case. Somebody may describe themselves



currently as being some sort of mortgage expert, for example. I know there are concerns in the real estate field about this as well. This will restrict certain terms so that consumers will have full knowledge that the individuals they're dealing with are duly registered and duly licensed and that there are repercussions if they are dealt with in an improper manner—speaking of which, the superintendent under this bill is going to assume some new, enhanced powers. I'll give you some examples:

"The superintendent is empowered to issue or refuse to issue a licence, to impose or amend conditions on a licence, to renew or refuse to renew a licence, to suspend or revoke a licence, to allow or refuse to allow the surrender of a licence and to impose conditions on the surrender of a licence."

As a general direction in the legislation, the superintendent is asked to first give notice to the individual who is licensed under those four licences I mentioned earlier on, about the intention the superintendent may have to revoke their licence or put restrictions on it. It give the licensee an opportunity to request a hearing on that proposal before the Financial Services Tribunal. That will be the standard of practice for the superintendent if Bill 65 passes in its current form.

There are occasions when the superintendent may have to move with greater speed. The superintendent would need to justify this, I would fully expect, but in some circumstances of immediate public interest the superintendent could react immediately by suspending a licence before a hearing could be held by the tribunal. I guess the superintendent will make a judgment call, under the circumstances, to determine which route to take, but it seems like the bill leans toward the first aspect, which is to give proper notice and give the licensee an opportunity to have a hearing before the Financial Services Tribunal.

What else can I tell you about the bill, Mr. Speaker?

*Laughter.*

**Mr. Hudak:** With that kind of response from my colleagues here, I will tell you more about the bill.

**Interjection:** Start from the beginning.

**Mr. Hudak:** Start from the beginning.

Let me tell you about the fines of the superintendent. I know that colleagues opposite are very interested in hearing about the fines the superintendent can bring forward. Let me see if I have this accurately.

"An administrative penalty may not exceed \$10,000 in the case of a contravention or failure to comply by a mortgage broker or agent or \$25,000 in the case of a contravention or failure to comply by a brokerage, mortgage administrator or any other person or entity, or such lower amounts as may be prescribed.

"The maximum penalty for an offence committed by an individual is a fine of \$100,000 or imprisonment for up to one year, or both. The maximum penalty for a corporation is a \$200,000 fine."

Another aspect of this bill that I think is important—we remember the good work of the Red Tape Commission. A former colleague, the member for Lincoln,

Frank Sheehan, had been the chair and co-chair of the Red Tape Commission. One thing that Mr. Sheehan and the Red Tape Commission were big on was sunset dates and reviews of legislation. In fact, under the Progressive Conservative government, I think all bills had to go before the Red Tape Commission to ensure that they minimized red tape under the circumstances.

One of the—excuse me for one second. It says, "Isn't it obvious?"

**Mr. Peter Kormos (Niagara Centre):** I guess it's obvious.

**Mr. Hudak:** I'm being distracted.

**The Acting Speaker:** Without interrupting, while he gets his thoughts together, I do have an announcement to make; I think all members of the House would like to hear this. Shamsa Qaadri just graduated from grade 1, and has joined us here today, and her brother, Shafiq Qaadri, just graduated from junior kindergarten, and is here to join us today, visiting their father, the member for Etobicoke North. They're joined by their grandfather Salman Qaadri, who is in the back. Welcome to the Legislature.

I hope the member now has his thoughts together and can continue.

**Mr. Hudak:** Thank you. I welcome our special guests to the assembly. I'm sure they're finding the discussion before the chamber very edifying today.

Mr. Sheehan, of the Red Tape Commission, as I mentioned, had always talked about the importance of sunset provisions in legislation—at the very least, reviews—and similarly for agencies, boards and commissions. Bob Wood, the member for London South, if I recall, had done a review of all agencies, boards and commissions and had actually eliminated a significant number or merged a large number to reduce the administrative costs and allow for greater efficiencies in doing the good purposes of those committees.

I know that Mr. Wood and Mr. Sheehan would likely be pleased to see that there is at least a review; there's not a sunset, because a sunset would not really be appropriate for this bill. The mortgage brokerage industry is clearly growing and, I expect, will continue to grow, and it's always good to give consumers more choices, provided there are good standards in place. But I think this bill compels the Minister of Finance—it doesn't give him or her the option; it compels the minister—that the bill be reviewed in five years' time, I assume, after proclamation: "The Minister of Finance is required to appoint one or more persons to review the operation of the new act and the regulations every five years." I think that is appropriate. I know that Mr. Wood and Mr. Sheehan, were they here and the Red Tape Commission was still active, would be pleased to see a review provision here.

I think the Red Tape Commission exists in some form or other. You don't hear much about them. They're now called the small business team or something. They're around somewhere.

**Hon. Mr. Sorbara:** No, we scrapped all that stuff.

**Mr. Hudak:** Did you? All right. It's been scrapped.



Mr. Gilchrist, also from Scarborough, was an important individual on that committee, and they did a lot of good work in reducing the amount of red tape and unneeded regulation in the province and would be happy to see that in a new piece of legislation there is an important review mechanism for the act itself and for the regulations to go along with it.

**Hon. Mr. Sorbara:** You replaced it with blue tape.

**Mr. Hudak:** The member says we replaced it with blue tape. I'll respond with an equally bad joke of my own: I'd say the current government is still cutting red tape; they're just cutting it down the middle and in fact doubling it by doing so. Instead of making a vertical cut, they're making horizontal cuts in red tape.

1700

**Hon. Mr. Sorbara:** Interesting metaphor.

**Mr. Hudak:** Yes. I do have to bring this up. There is an atmosphere of co-operation in the House here on Bill 65, but I do have to bring this particular measure up.

**Hon. Mr. Sorbara:** Here's the friction.

**Mr. Hudak:** Well, no, I think it's a very fair point, because I know some of the others have said—several members of the party. When Minister Duncan introduced this bill—now, I do have the Hansard in front of me, so I can say with certainty, because of the quality individuals working very hard in Hansard, that February 20, 2006, is when Minister Duncan introduced this bill for first reading—he gave a brief description of the bill, much of which I have spoken about. He greeted those who were there in the audience. Then he said, at the end of those comments—I know my colleague from Beaches–East York will remember this—“I want to thank all of them”—referring to CIMBL, among others—“for joining us today and, indeed, for their support of the bill.” Which is true. CIMBL is very supportive of the bill. They have some concerns on regulations, but they are supportive of the bill. Then the then-finance minister, Mr. Duncan, said, “I've referred them to the opposition House leaders to ensure that this bill gets speedy time coverage and debate.”

I find that to be a rather unfortunate comment. Basically, what the minister was implying at the time was that somehow the opposition would be delaying this bill and it was the House leaders who were villains of some kind. The bill was introduced and, within minutes, the then-Minister of Finance was basically inferring that the opposition was holding up the bill. Far from it. In fact, I will say at this point in time that Minister Duncan, in his tenure as finance minister, didn't even call this bill for second reading. He made a big fuss, huffed and puffed, talked about this bill, talked to the House leaders across the way on how important this bill was and then failed to call this bill for second reading. It would be interesting to go through Hansard to see if he even referenced the bill again. I don't think he even had a chance to meet with CIMBL after the bill was brought forward. Not to belabour this point, but I do want to say for the record that members of the opposition, I think of both parties, found the minister's remarks rather disappointing.

You will recall too that we had a similar circumstance with respect to—now, what was the bill's number?—the bill that extended the appeal period for assessments by an additional 90 days. It slips my mind. This was introduced after the Ombudsman's report on MPAC and it extended—

**Ms. Andrea Horwath (Hamilton East):** After Michael Prue called for it.

**Mr. Hudak:** He did. Mr. Prue deserves credit. He brought this up in the Legislature and called for an extension to the appeal period, given the Ombudsman's scathing remarks and scathing report about MPAC.

**Hon. Mr. Sorbara:** Intemperate language.

**Mr. Hudak:** No, it was scathing. It's not me. I think “scathing” accurately reflects the Ombudsman's report on MPAC.

The Minister of Finance then brought forward, as a way of reacting to that bill, a 90-day extension. As I said earlier, my colleague from Beaches–East York, the NDP finance critic, had called for an extension of time, responding to both of those things. All three parties supported the extension. We thought this was a fair thing to do, to give people a greater opportunity to appeal, particularly since the issue had been raised in the public's eye by the intense media scrutiny about the operations of MPAC and skyrocketing property assessments.

A deal was forged between House leaders, if I recall, that the bill would go to second reading debate the following day, within 24 hours. It would give an opportunity for members of the House to have their say about that piece of legislation, and then it was agreed that a vote would take place. That did happen. There was a debate. Members who wanted to speak to the bill spoke to the bill. They addressed issues like skyrocketing property assessments in Ontario for residents. The vote then took place at second and third reading. There was no committee necessary. I think the bill passed with the support of all members who were present. I don't think there was a dissenting vote at all.

But the same previous finance minister, who had huffed and puffed and indicated it was the House leaders who were delaying Bill 65 when he in fact didn't even call it for second reading, similarly demanded that the assessment extension be voted upon right then and there, despite the fact that an agreement had been reached among House leaders. We find that kind of gamesmanship disconcerting. I did want to register those two items as I was talking about how Bill 65 got to this point.

I know I have less than half an hour for my remarks on this important piece of legislation and I did want to bring forward some other items of concern. It's just a matter of deciding where I'm going to start. I will skip these articles.

CIMBL responded, as I have in my issue binder, with a very positive release on February 20, 2006, entitled “Mortgage Professionals Welcome Introduction of New Legislation.” CIMBL referred to a recent report entitled—

*Interjection.*



**Mr. Hudak:** Thank you. There's coming drama, with the pending suspense about where I'm going to end up in 25 minutes' time. You don't even know if I said we'd vote for it.

**Hon. Mr. Sorbara:** I'm going to read it. I can get a copy of Hansard.

**Mr. Hudak:** I thank the Minister of Finance for his rapt interest in my remarks and his running commentary on my speech on Bill 65.

CIMBL talked about the importance of the residential mortgage market in Canada. In fact, a recent study that CIMBL I believe commissioned said there was \$617 billion in total mortgage credit in Canada in mid-2005, nearly half of which is in the province of Ontario. They refer in their press release actually to some polling done by Pollara that CIMBL had commissioned. I'm going to report on that a bit later in my remarks. I think there are some very interesting things in Pollara's remarks.

*Interjection.*

**Mr. Hudak:** My colleague is right; I'm down to about 25 minutes, so I'll move ahead. But I will try to get back to talk a bit about Pollara. If necessary, I may look for unanimous consent to extend my time.

Those who are in the industry—I've mentioned this in a general sense, and I know the Minister of Finance and Mr. Lofsky have similar concerns. I do hope by their good graces they'll bring forward draft regulations. I know the industry has a number of concerns about things that are either not in the bill or not clear in the legislation. That's why draft regulations following up on draft legislation would be most helpful to ensure a speedy acceptance of this legislation generally.

One that CIMBL has brought forward deals with errors and omissions insurance. They fully support mandating errors and omissions insurance for all mortgage brokerage firms in the province as part of their licensing requirements—obviously a point worthy of consideration. I look forward to hearing from CIMBL about the reasons behind that as part of our committee process.

CIMBL also has a stand with respect to minimum capital requirements for mortgage administrators. I think mortgage administrators, whatever their level of licence, deal in substantial sums, not only in the aggregate amount, but substantial to working families, individuals or even some seniors who are investing in mortgages and making significant commitments over a number of years. So CIMBL will bring the point forward of minimum capital requirements to ensure that the industry is responsive to their clients.

The other things that CIMBL brings up: Enhanced consumer disclosure is something they would like to see as part of the bill, I guess more clarity in regulations. Cost of borrowing disclosure similarly follows the arguments of enhanced consumer disclosure.

The CIMBL referral I had mentioned earlier on, which goes a bit hand in hand with the exemptions under the act—I think there will probably be some disagreement between those in the legal profession and those at CIMBL, and maybe others in the mortgage brokerage industry, over what those exemptions should be, whether

they would be class exemptions, whether there would be circumstances where exemptions should be granted. I think it would be a worthwhile and enjoyable exercise to see the draft regulations about how exemptions are going to take place and hear from the various professions as to their view of the inappropriateness of those exemptions. I think it's inappropriate, in a consumer protection piece of legislation, to have gaping exemptions. After all, if you're trying to raise the standard of consumer protection, you need to ensure that, as a principle, the exemptions have been seriously considered and that they are as narrow as possible. I think you need to be zealous in ensuring that any exemptions would be more than reasonable. Otherwise, if consumers don't have faith in the protections of the legislation, the legislation of the day would be worth nought. I know the government will bring forward suggestions, or hopefully will bring forward suggestions, on what's appropriate for exemptions and what is not.

1710

With respect to simple referral, is the government's intention to say that simple referral exemptions will be granted to somebody who is just simply passing on a name, contact information of a mortgage broker, to an individual who is shopping for a mortgage? Is that the most narrow definition of "simple referral" and is that the government's intention? Is it a transfer of information about a prospective mortgagee to a broker? Is that within the bounds of simple referral, or do you go as far as people who are gathering information on a prospective mortgagee, somebody who is advertising, a mortgage referral service? Exactly where will the government draw the line on simple referral to ensure that consumer protection is maintained?

I did say I was going to speak a little bit about the Pollara work that was done.

**Mr. O'Toole:** A little bit about the bill.

**Mr. Hudak:** I think I've spoken quite a bit about the bill.

**Mr. O'Toole:** There's not much in it.

**Mr. Hudak:** My colleague from Durham said, "There's not much in it." I think by that he's saying that a lot is left to regulation. While the bill is before us and we can vote on the bill itself, the structural framework, the skeleton, the so-called meat on the bones, has yet to be revealed. I'll look forward to the remarks of my colleague from Durham, but I would expect that he would have a similar viewpoint to what I do on the framework itself. When he says there's not much to it, I think what he's saying is that we would like to see some draft regulations before we give full blessing to this bill through third reading.

In September 2005, Pollara conducted a brief four-question telephone survey with 2,524 Canadians, and a more in-depth 13-minute survey with 1,076 residential mortgage holders across the country. What did we find out?

Mortgage holders consulted an average of 1.92 mortgage professionals when taking out their mortgage. I



found that surprising. That's less than two. So, 1.92 mortgage professionals when taking out their mortgage; 45% of Canadians consulted two or three mortgage professionals; 48% consulted one or less; and a small minority of 7% consulted four or none.

So there is some degree of shopping happening, and it's certainly greater than it had been in the past. But considering the vast array of points from which you could purchase your mortgage or at least get quotes and advice, not that many are taking advantage of it. I suspect that will increase. If I recall, I think the survey found out that younger individuals are more likely to consult more, on average, than the older cohort. It's interesting too: I think it said that young males were the category most likely to shop around. I expect that, across demographics and across the two sexes, that will probably increase over time. That's why this type of legislation is important, to ensure that if you are shopping around for a mortgage, you will know that those you are consulting with will be properly accredited, licensed and, if they give you the wrong advice in a damaging way, in an intentional way, there will be significant repercussions.

The types of lenders consulted most frequently: major Canadian banks, 74%; credit unions, 27%; mortgage brokers, 25%; mortgage loan and investment companies, 7%; life insurance companies in fifth place, at 4%.

I mentioned credit unions. They're at 27%. There were a couple of items that I brought forward at the beginning of my comments at estimates, two of which pertain to government legislation. The credit union legislation was expected some time ago. I think the original expectation, if not promise, was in the fall of 2005. Then there was an expectation it would be this session. We only have six legislative days left in this session, so I'm a bit pessimistic that the credit union legislation will be coming forward in the spring sitting, which is disappointing. Similar to the mortgage brokers' act, there was a draft paper, a document, put out; there has been broad-based consultation. The credit union legislation as it exists today is older legislation in vital need of refreshing, so I do hope now that Mr. Lofsky has been energized by Mr. Sorbara's returning comments at estimates. We saw that the mortgage brokers called for second reading in a short period of time. Similarly, we hope that the credit union legislation will be forthcoming in the very near future.

I've seen a smile over there which I will interpret as a positive sign. I'll send my encouragement to see that bill move forward, because it is a couple of sessions overdue. Similarly, while there will be some issues of contention with that bill, you'll probably find that the vast majority of the members in the House would agree that the legislation needs to be modernized and new tools given to the credit unions that exist in other provinces.

I don't want to dwell too much more on the survey, although I will recommend it to members who are interested in delving more into the Pollara poll around the mortgage industry. Will Dunning did some interesting economic research. Because my time is limited to a mere 60 minutes on a piece of legislation like Bill 65, there are other associated topics.

My colleague from Northumberland did indicate that potentially he'd agree to extending my time to speak to Bill 65 today. If we do get that unanimous consent, I could tell him, because I know it's something he's interested in—economic research and polling—I'll go into further detail. There are other things that I want to get to in addition to that Pollara research.

I do want to say to my colleague the finance minister: One item that I ran out of time to bring up at the finance committee and I want to bring up in connection with Bill 65, the Arthur Lofsky act, is what seems to be an increase in the land transfer tax. Some Ministry of Finance officials argue that there has not been an increase, but there has been much media speculation and speculation in the building sector that in fact the land transfer tax has been increased in another Dalton McGuinty tax grab.

Certainly, as we speak about taking out mortgages, young families buying a new home and individuals purchasing greater property will face land transfer tax. Land transfer tax has been around for some time, but there's concern that it has been broadened—not with any consultation here in the Legislature; no new bill was brought forward—but there seemed to be a posting on the Ministry of Finance website that has resulted in what Linda Leatherdale, the business editor for the Toronto Sun, called, “Of all the sneaky, back-handed, greedy tax grabs. Dalton McGuinty's done it again.”

I refer members to the April 21, 2006, business section of the Toronto Sun. Ms. Leatherdale goes on to say, “This time it's the hated land transfer tax that's going up in a secretive move that not even the Greater Toronto Home Builders Association knew about.”

Here we are talking about Bill 65, the mortgage brokerages act, to use the short form. Consumers that are concerned about regulation and having proper licensing for mortgage brokers will also have a great concern about a secret increase in the land transfer tax.

Ms. Leatherdale goes on to say, “And what's new is buyers of new homes and condos will be paying more in land transfer tax as a long list of upgrades and extras, including Dalton's smart meters....” Dalton McGuinty is mandating smart meters across the province, and I guess the land transfer tax is to be enhanced to include their value and “will now be added to the purchase price and” therefore “taxed.”

Ms. Leatherdale uses strong language, but I think she has had good cause to do so, with the Dalton McGuinty broken promises that have caused taxes to increase substantially. Ms. Leatherdale has also been a very active critic about skyrocketing property assessments and the inactivity of the current government in addressing them.

She uses language that says, for example, “Even more hideous—buyers will now be paying tax on tax, as the taxed purchase price will now include an obscene list of levies which already hit new homes.

“These include: Lot levies, development charges, school levies, any increases in municipal development levies, a Law Society of Upper Canada transaction levy surcharge, a late request for upgrades fee, the Ontario New Home Warranty Plan fee, and the architect's fee.



"This is not right,' the law clerk wrote me"—Ms. Leatherdale—"in an e-mail. 'Maybe this new tax can be stopped. If anyone can make a difference it's you.'

"Toronto real estate lawyer Alan Silverstein explained in 2004 the provincial auditor recommended changes to how the land transfer tax was collected, but blasted the Liberals for being so sneaky in implementing any changes."

Mr. Silverstein says, "They snuck in a new tax grab by the way of a bulletin."

1720

I do want to call this alarming development to the attention of the Minister of Finance and his parliamentary assistant while we're on the topic of mortgages. There is an alarming incident that seems to have transpired that has resulted, if Ms. Leatherdale is accurate, in a new tax grab by expanding the land transfer tax.

Bob Aaron, in the *Toronto Star*, in a number of his *New in Homes* articles, has made the exact same point. I'll read part of one, from Saturday, May 6, 2006. Mr. Aaron says, "My dictionary defines 'grinch' as one who spoils the pleasure of others. The derivation, of course, is the principal character in the Dr. Seuss classic, *How the Grinch Stole Christmas*." The Grinch probably has as widespread identification as Pinocchio. You use those words and people know instantly what you mean.

Mr. Aaron goes on to say, "That definition might well apply to Ontario Finance Minister Dwight Duncan, whose mandarins have come out with an edict to increase the land transfer tax paid on every new home and condominium in Ontario."

The bulletin that he refers to means that, "The value of extras and upgrades to be included in the purchase price for land transfer tax purposes now includes the cost of upgraded flooring, cupboards, doors ... architectural changes, extra doors and entrances, whirlpool baths, finished basements, smoke detectors, roughed-in washrooms, fireplaces. Purchasers will also have to pay land transfer tax on charges for ... tree planting, sodding and planting, driveway paving," lot premiums. He goes on and on.

I know this is an initiative of the previous finance minister, Mr. Duncan, and I do hope that Minister Sorbara, who has moved forward with Bill 65 and showed an interest in mortgages, will similarly look into this impact of what Ms. Leatherdale called a sneaky tax grab.

The other issue I wanted to bring up on the topic of Bill 65 is a general concern about mortgage fraud. Certainly, Teranet has been an issue in the news and we've brought up concerns around Teranet in the estimates committee. At its heart, Teranet has been very successful in moving to a system of electronic land registry. What began in 1993 has expanded to the vast majority of the province now using electronic land registries. In 2003, the Ernie Eves government sold off its remaining shares, with proper protections in place, ensuring that the government retained the right to allow or disallow any increases in land registry fees in perpetuity. It also allowed for the government of the day to

benefit over a certain time period with 50% of any upside sales. That's why—because of these provisions brought in under the Ernie Eves government—this government will probably be receiving an additional \$400 million or so.

**Mr. O'Toole:** They overstated.

**Mr. Hudak:** That's their estimate; I've not seen any others.

Anyway, those were some of the protections that were brought in in 2003. I don't think I received a clear response from the minister yet, or maybe the Minister of Government Services could do so. I certainly would expect the government would maintain that freeze in the land registry fee that has existed for some time, but they have not, to my knowledge, made that guarantee. I know it's a bit ironic, asking the Liberals to make a promise and expecting that it will be kept. Nonetheless, at the very least they could come forward and tell us that they're going to maintain that freeze.

At the same time, it is a good thing. The electronic registry was a very successful move. It makes transactions easier; it makes them happen with greater frequency. What it also has done, and we can't lose sight of one of the challenges, is it basically anonymizes some of these transactions. They would take place without the traditional contact that may exist between buyer and seller, or their lawyers or their financial institutions. As such, there have been cases brought to light by some media quite recently, including the *Toronto Star*, about mortgage frauds that have taken place as a result of identity theft and then individuals assuming that identity, taking out a mortgage on a property and leaving the person whose identity has been stolen on the hook. So I hope there will be some action by this government, working with Teranet, working with the law society and working with the real estate profession to address mortgage fraud.

I, by no means, would suggest the government should go backwards. I think Teranet as a whole—and I was pleased to be the minister responsible at one point in time—has been a very successful enterprise in modernizing the way our land registries work. People have raised concerns about the government's current activities on the IPO side for income trusts. There were some good questions asked. But I think we would all agree that Teranet moving forward in electronic land registry has largely been successful, and they've responded to some of the concerns brought forward by the auditor a number of years ago. But it does leave the system somewhat vulnerable, because of the reduction in the traditional face-to-face contact, to mortgage fraud stemming from identity theft. I hope we'll see the government opposite moving forward, working with the sectors I've mentioned, to address those concerns.

Also, as I like to do, on the topic of mortgages, I'd like to bring forward some riding concerns, in addition to mortgage fraud. The 905 area—I know my colleague from Durham will be concerned about this—where there has been a rapid expansion in land transfers over the last



number of years, is particularly vulnerable to mortgage fraud. I know my colleagues here who represent the 905 and 416 area codes particularly will be pushing the government to move forward with some appropriate protections.

I also want to say—and I know my colleague from Niagara Centre is very active on this and has asked a question in the Legislature of the Minister of the Environment—that I wonder how the people who live in Fenwick and in the town of Pelham feel about the security of their mortgages or the ability to get new mortgages when selling their homes. No matter what the quality of the broker, if they're a CIMBL member or what have you, there's a concern right now in Pelham with the dumping of paper sludge on a property on Church Road. It's a country road. It's not a frequently travelled road. I had the opportunity to go by the property this past weekend. I didn't go on the property—the owner wasn't there—but from the road made the best observations possible. I've heard from a number of neighbours about the concerns, the impact this will have on the value of their homes and real estate. If they were looking to exchange land, no matter what the protections of Bill 65, they're worried about the devaluing of their property.

My colleague Mr. Kormos asked a very good question of the Minister of the Environment. The reflection from the town of Pelham and the constituents was great dissatisfaction with the answer. I know my colleague from Durham has brought forward a private member's bill to address the issue of the dumping of things like paper sludge on residential properties.

In fact, I have in my hand something called the Report of the Experts Panel on Sound-Sorb. This was prepared for the Ministry of the Environment on January 31, 2005. The expert panel makes a number of recommendations and, if I read the report accurately, says that this dumping of paper sludge should be subject to a certificate of approval, that there should be proper regulations in place to ensure that environmental protections exist, that the circumstances of the dumping would be appropriate.

Let me read from page 25 of that report:

“Question 1: Does Sound-Sorb,”—the material I'm speaking about; this is one of the brand names, I guess, for this product—“as used as a berm construction material, present a risk to human health or the environment and what is the nature of that risk?”

The expert panel reported back “that it could not come to a conclusion on all of the possible risks to human health and the environment based on the data it had. It also felt that a more systematic collection of data at berms would not provide a comprehensive assessment of the risks.... The expert panel came to the conclusion that this material could with proper regulatory control be used to construct berms without causing an unacceptable risk” but they talk about the importance of regulatory approval and elsewhere in the report speak about ensuring that a certificate-of-approval process exists for this type of dumping.

I also had the opportunity to write a letter to the Minister of the Environment—I hope she'll have a chance to respond soon—asking her to put all of the ministry's resources into reviewing what's happening on Church Road in Pelham and assisting the town council in addressing the issue. You can't blame the neighbours. As I've said, they'll be concerned about Bill 65, and they'll be concerned about ensuring that the mortgage brokerage industry is subject to the proper high standards. But it's going to be awfully hard for them to move somewhere else and sell their homes if they're seeing their properties devalued. Nice homes, very nice neighbourhood, nice and quiet, but obviously some justifiable concern about the dumping of the sludge on a property nearby.

1730

It has a foul odour. What are the impacts on soil contamination and what are the impacts of drainage into groundwater or the nearby Welland River, a main river through the centre of the Niagara Peninsula, affecting many, many constituents? I support those individuals' expressions of concern and I do hope the Minister of the Environment will put all of her resources to bear on addressing this issue and hopefully will take the advice of the expert panel and work with my colleague from Durham to ensure that proper protections are in place so that she can say with some degree of certitude to the residents of Church Street that if this is allowed, it's perfectly safe, and if it's not safe, then this practice will be stopped and the neighbourhood can return to some form of normalcy.

I guess my time has rapidly expired. It's truly amazing how fast time can fly. There are a couple of other topics that I wanted to address.

*Interjection.*

**Mr. Hudak:** If my colleague from Northumberland wanted to assist me with a motion to extend my time, I could talk about some of the polling data behind this legislation. I could also talk a bit more about the concern I have with property values of my constituents near the Caledonia area. I know my colleague from Haldimand-Norfolk would have similar concerns about their mortgages and their property values. But at this point, I will conclude my remarks on Bill 65.

**The Acting Speaker:** Questions and comments?

**Mr. Tabuns:** First I have to say that this has been a virtuoso performance by the member from Erie-Lincoln. I think people from all parties can agree that his ability to speak for one hour on this bill, on an extraordinarily small amount of content, is impressive—at the very least, it's impressive. There's no question that he's taken the opportunity during his hour to talk about the fact that it isn't just this mortgage act that is needed to protect the interests of mortgage holders in this province. As has been said a few times today, people see their mortgage, quite correctly, as the largest single investment they will make in their lives. People put everything into it. Certainly, it makes sense to have a regulatory regime for those mortgages, to ensure that they're protected, to ensure that in no way are their funds siphoned away, in



no way are they subjected to anything that would resemble fraud. But the member was also quite correct in saying that if you don't deal with other physical and environmental elements in the environment near the homes of those mortgage holders, then you put those mortgages at risk.

Certainly, the issue that was raised by Mr. Kormos a few days ago, the question of using SoundSorb for a berm near Pelham, is a significant concern. We didn't hear from the Minister of the Environment the other day that she was going to take action on this. She said she was monitoring the situation. Well, according to the residents, you can monitor the situation yourself; you can watch the ooze coming out the bottom of the berm. I'm glad the member for Erie-Lincoln raised that, because when we talk about this bill, when we talk about protecting mortgages—human health obviously, but mortgages as well—we don't see this government acting.

**Hon. Mike Colle (Minister of Citizenship and Immigration):** It's my privilege to make a couple of comments about Bill 65. This is a critically important bill because it deals with ordinary working Ontarians whose biggest investment they make in their life is their mortgage. Up until now, this type of legislation has not been reviewed since the early 1970s. It's long overdue. I know the opposition doesn't think there's any content here, but you ask the ordinary person whose life savings are in a mortgage and there's been no protection for them as they put all their hard-earned money into their home or their apartment, their condo. Now, finally, there are some rules. Up until now there have been over 7,000 so-called agents out there who require no education, no kind of certification, who have been claiming to be mortgage brokers who are not. This bill ensures that there are people who are trained, licensed and supervised so that all Ontarians who buy a home are protected every year. It's critical to them because that's where all their life savings are. Up until now, there has been no awareness of whom the so-called agent represents. Does the agent represent the borrower or the lender? There's no need to declare anything. Who is paying the so-called agents? There are 7,000 agents all over Ontario selling homes, and we're fortunate that we're building 75,000 new homes in Ontario every year. It is critically important for the government to act here.

*Laughter.*

**Hon. Mr. Colle:** We can't laugh at the seriousness of this. This impacts on people's lives. I think the survey said they spend about a month looking for a home to buy. They're spending only half an hour to arrange a mortgage. In some cases, they've arranged a mortgage with someone who had no track record, no education, no qualifications. Bill 65 protects consumers. It's long overdue. It's about time we stepped up to ensure that the consumer's lifetime investment is protected. That's what this bill does.

**Mr. O'Toole:** I want to respond to the passion of the member from Eglinton-Lawrence, now the minister. I know he was the parliamentary assistant—I commend

him. He did the consultation on this—and I had served some time as the parliamentary assistant to the Minister of Finance. He is right to the extent that this industry needed to be regulated. We've agreed with that. I think our critic has said that, basically. But a lot of the bill is of a technical nature, and the engagement of the public is a difficult task here because it's sort of inside baseball. I'm not trying to diminish that in the debate. I think the member from Erie-Lincoln did yeoman's service, as has been mentioned by the member from Toronto-Danforth. It's a laudable achievement to speak for an hour on something that regulates four different sectors.

But if you look at the sections of the bill, it's a fairly long bill. It has 66 sections, 38 pages; for English, that would be close to 18 or 19 pages. But if you look down at the prohibition offences section, 43 down to 66, a lot of it is about collecting fines, enforcement mechanisms for the disclosure aspect and public hearing and process, which is—you and I both know that this bill is primarily about process and setting up a regulatory framework for these four sections, the mortgage brokers, the agents and the ownership issues. The member from Erie-Lincoln has done good service to that. He did speak to some extent about the importance in the context of property rights. He has done more work on property rights than any single member in this Legislature. He needs to be applauded for the work he has done on property rights in this province.

**Ms. Horwath:** It's my pleasure to make a few remarks on the speech by the member for Erie-Lincoln. I have to say I agree with most of the sentiments we've heard already this evening in that this bill is simply an updating of legislation that hasn't really been reviewed for some 30 years. Certainly New Democrats are pleased that there's some action on this, that there's some reviewing and updating of important regulations and standards that are required when it comes to mortgages and when it comes to who is able to deal in mortgages. I think the member very adequately and appropriately remarked on the extent to which this could be a big—this is a big issue for most people when they're purchasing property, particularly if it's their first time out of the gate.

But what I do notice is not in the bill is that, although there is a requirement for professional education to be undertaken by those dealing in mortgages, the bill itself, the act, does not outline any specifics around what that education should contain, what the components of the required education should be. So we get a little bit nervous about that. We'd like to see some more fleshing out about what that kind of education would look like so that at the end of the day, once the bill is passed and is in force, it doesn't then become a whole long process of back and forth and argument about what should and shouldn't be required in terms of pieces of education.

What's not in here is consumer education. I think it's a good opportunity to perhaps get some consumer education built into the process. It's a bit of a shame that that wasn't considered as part of the bill.

There are some exemptions as well as to who is not covered by this act.



Ultimately, what New Democrats want to see is this bill going to committee so that some fine-tuning can be done and we can be assured that the pieces that are in here are strong enough.

1740

**The Acting Speaker:** The member from Erie–Lincoln has two minutes.

*Interjection.*

**The Acting Speaker:** That was four. I'm reminded by the clerks that there were four people who spoke in questions and comments.

*Interjection.*

**The Acting Speaker:** I don't see anybody actually making that motion.

**Mr. Hudak:** Mr. Speaker, I seek unanimous consent to allow the member from Etobicoke North an additional two-minute hit.

**The Acting Speaker:** Is it agreed? I heard a no.  
The member from Erie–Lincoln.

**Mr. Hudak:** We tried. Thank you, Mr. Speaker.

I appreciate the comments from my colleagues from Toronto–Danforth, Hamilton East, Stoney Creek, Durham and Eglinton–Lawrence. I thank them for their very kind words too. I know that this speech on Bill 65 is one for the ages.

I do want to go on about a couple of issues that my colleague from Northumberland raised as well. One thing I found interesting in the Polara data was that typical advertised rates over a time period averaged 6.04%. The average rate of mortgages taken out was 4.71%. So we saw that borrowers had negotiated discounts an average of 1.33% below typical advertised rates. It shows there's some bargaining going on, and the greater the competition, the better for consumers. They have more options to shop around to try to compel those who are selling mortgages to lower their rates. We want to encourage competition, provided of course that proper protections and standards are in place.

The other aspect that was quite interesting that I want to get on the record—I talked earlier about the number of mortgage consultations that occurred across ages and sexes. Males 18 to 24, 2.55 consultations; females the same age, 1.93. As you move to an older cohort—55 and over, for example—1.58 mortgage professionals were consulted by men, 1.46 by women. So it seems that the older cohort was probably more likely to go to an existing financial institution, but as the cohorts advance, we're seeing younger folks. Not to discredit Mr. Lofsky, but I think this bill could also be named the Jim Murphy bill as well. Maybe I'll move that amendment.

**The Acting Speaker:** Further debate?

**Mr. Tabuns:** Mr. Speaker, I seek unanimous consent to stand down the lead of our finance critic, who, as you know, is not available at this moment to speak to this bill.

**The Acting Speaker:** The member has requested unanimous consent to stand down the NDP lead. Is it agreed? Agreed.

**Mr. Tabuns:** Thank you, Mr. Speaker.

First of all, I have to say that I appreciate the fact that the Minister of Finance, when he spoke earlier, sort of broadened the horizon for all of us by talking at length about electrical policy, hydro policy and the context of Ontario's economy, and really made it possible for us to talk not just about the mechanics of this bill, which have been ably discussed by a number of members so far, but about the context within which mortgage owners hold their homes, experience the economy and look forward to the future.

There's no question that a mortgage—a home—in most cases is the single biggest investment in most people's lives. A friend of mine, Pat Schulz, grew up in East York. Pat was a daycare activist, a feminist, who grew up in East York in the 1940s and remembers her parents pulling together every penny in the house, literally going from room to room looking for penny jars, for kids' piggy banks, to get together the money necessary for the down payment so they could buy their house, get the mortgage and stabilize the lives of their family.

On an interesting historical note, Pat, in the early 1960s, was one of those people who helped to desegregate the Palais Royale. In the early 1960s, it was not permitted for white and black individuals to dance together, which I find quite extraordinary in this city, but in fact that was the case and Pat, who had gone through that experience as a child of having every penny taken out of her room to pay for a mortgage, in the early 1960s, with black and white colleagues, went into the Palais Royale, broke the colour bar and helped make Toronto the modern city it is.

**Mr. Mario Sergio (York West):** It's a nice place, the Palais Royale.

**Mr. Tabuns:** The Palais Royale is a much better place now that the colour bar has been broken.

My parents came to Canada in 1951. They came to Hamilton in the early 1950s and similarly scraped up every nickel they had to buy a house on Waterloo Street. At the time, the mortgage was not held by any company. It was held by the man who actually owned the property. They were assisted by a lawyer who still practises in Hamilton, Mr. Gordon Landeg. As a child, I still remember being told, "Don't do these sorts of things until you talk to Mr. Landeg," a very sharp lawyer, a very generous man, very much available to people. He advised people on mortgages, immigrants like my parents, and I think that—I hope that—this act will enable people like him to operate within a framework that will reduce some of the work he had to do, make things a little more transparent, make things a little easier.

As has been said in this House, this bill has not been updated for about 30 years. Certainly, industry and consumer groups agree that action has to be taken, that there needs to be a codification, a framework put in place. I understand from our researchers that industry groups seem to be very pleased with this legislation. Consumer groups are somewhat more concerned. They feel that the heart of the legislation, the professional standards, are not defined as fully as they need to be



defined, that they're being left to regulation and to standard-setting procedures more or less controlled by the industry.

It's my hope that in the course of discussion at committee those questions will be dealt with, that this bill will be strengthened where necessary, and that the legislation that many see as required will go forward with the improvements all are hoping for. The member for Erie—Lincoln, in his remarks earlier, expressed a hope, an understanding, that draft regulations would be made available to all, so that legislators would have a chance to understand fully what they were bringing into being, fully to understand what would be before this House.

One of the concerns in regulation is the question of professional education. There are conflicts going on in the accounting field right now, conflicts about who will be recognized, whose qualifications will be recognized. We have initial enabling legislation that was passed, but unfortunately too many details were left untouched, unaddressed. We are concerned, and again we hope this will be addressed in committee. We hope that people who come forward to talk to the committee will give an outline of how we can avoid leaving a vacuum here, a space in which conflict may arise. We need clarity of definition, preferably in the act, hopefully through amendments that will be brought forward by the minister and his staff.

If it's argued that the education and training of the professionals who are mortgage brokers is crucial to the proper functioning of this act, to the proper protection of the public, it should be addressed in the legislation itself—the whole question of the standards, the content of that education—so that we have more clearly a framework that is governed by legislation and not simply left to the drift of the day, to the government of the day, to the cabinet of the day to say, "This is good enough." No, we as legislators will be responsible for the impact of this legislation and I think the content of that education should be addressed.

1750

I'm hearkening back to the example set by the Minister of Finance when he made his initial address here. I certainly have great concern about leaving things to regulation. I have concern about substantial matters not being brought within the framework of the existing laws. I'm going to address, as an example, the whole question of the provincial government's—the Liberal government's, the McGuinty government's—electricity supply mix plan that was introduced in this House. It is quite extraordinary that something that was called a plan just yesterday by the minister, called a plan by the Premier, was today characterized by the Minister of the Environment simply as a concept. How can you have an environmental assessment of a concept? There is no plan on the floor, it's simply a concept, and thus it can't be assessed. When we have concrete pieces of this plan, then we'll have an environmental assessment carried forward by the federal government. We'll attend, we'll make sure that Ontario citizens are there and that their interests will be addressed.

When you look at the plan, the core of it is a \$40-billion investment in nuclear power—

**Ms. Kathleen O. Wynne (Don Valley West):** On a point of order, Mr. Speaker: I just have a question about the subject matter of the member's speech. I think we're talking about Bill 65, mortgage brokers legislation.

**The Acting Speaker:** The member's point is well taken. I think the member from Toronto—Danforth is straying a little. I would ask you to get back to the topic at hand.

**Mr. Tabuns:** Mr. Speaker, I'm sorry if I appeared at any point to be straying from the legislation.

**Ms. Wynne:** Just an appearance.

**Mr. Tabuns:** It was simply an appearance.

In fact, I listened very closely to the words of the Minister of Finance, who talked about the electricity plan. He talked about how it would stabilize things in Ontario, how it was a good thing for Ontario, how mortgage holders in Ontario would have their interests protected by that electricity plan. So I'm responding in many ways to the Minister of Finance, who blazed a trail for all of us in this Legislature today by making sure that when we discussed this legislation, we were allowed to discuss the full context within which this legislation is situated.

Having said that, I would say that what's been brought forward by the government will pose problems for mortgage holders, because mortgage holders pay not just mortgage. They pay utilities; they pay municipal taxes. They have a variety of expenses to be concerned with. Certainly, this legislation addresses part of their concern, but as the Minister of Finance correctly pointed out, having a stable energy system within which those mortgage holders operate is a significant concern. When you bring forward a plan that has as its heart a strategy that has been demonstrated in Ontario to be unworkable, to be expensive, to be unpredictable, to be unreliable, then frankly I think it needs to be addressed. I'm glad the Minister of Finance addressed it. His example is one that I wish to follow.

The minister defended an approach to energy in this province that is hard to defend. Why would we take the highest-cost, least-reliable road to providing ourselves with secure energy? Why would we approach the situation of mortgage holders, who have to have stability and predictability—why would we take them down the path that's been described?

**Ms. Horwath:** That's a good point.

**Mr. Tabuns:** I think it's a very good point.

The minister talked about mortgages and he talked about why this province is prosperous. How is it that people are able to carry these mortgages? What is it that has allowed us today—

**Hon. Mr. Colle:** That's a good question.

**Mr. Tabuns:** That is a very good question and I'm glad the Minister of Finance opened the door for that discussion. I know at the time there were no challenges made by anyone in this House to the very good approach he was taking of opening up that whole issue: What's the basis for economic prosperity in this province? Frankly, there are a number of factors that the minister didn't



touch on that I do want to touch on, because they do come back to the whole question of regulation and the role of government in society.

In 1905, there was a strike in Pennsylvania, a very famous strike in American history, the Homestead strike. In Ontario, in Toronto, that strike was called the great coal famine of 1905. That great coal famine was very much like the energy crisis of the 1970s and 1980s. It said something profound to the people of Ontario, and interestingly, and in my opinion somewhat oddly, it said something profound to the Conservative leadership of the province at that time. It said to them, "We have to have control of energy within Ontario," and Sir Adam Beck and the Conservatives proposed a publicly owned, renewable energy strategy that reshaped the industrial base of this province. As the Minister of Finance has said, it's that industrial base, it's those good jobs, it's that wealth that allows us to pay those mortgages that are so central to the lives of so many in this province.

**Ms. Horwath:** When hydro was public.

**Mr. Tabuns:** When it was a public utility, focused on renewable power, stable, low cost, it gave us the base for the industrial society that allows people to own their homes. I appreciate the Minister of Finance and his bowing to and his respect for the whole question of how we have prosperity in this province.

I'm glad he raised that; I may touch on that again in a few minutes. But I want to touch on another issue, and that's consumer education. Consumer education is not dealt with in this act and in fact I think it should be dealt with in this act. The member for Erie-Lincoln talked about the need for dealing with issues like mortgage fraud. I think it makes tremendous sense to invest in consumer education, to make it part of the legislation so governments can't slough it off in the future, so governments can't say, "Well, it's a regulation, it's an inconvenient regulation. We'll just chuck it." No. Consumer education to avoid mortgage fraud is something that needs to be incorporated in this act and I would ask the member and the finance critic for the NDP to seriously consider addressing that issue and introducing amendments so that in future the prosperity of the province can be, to some extent, protected.

The act continues with many exemptions of the old act related to mortgage brokers. The rationale, obviously, is that there is sufficient regulation in other acts to deal with those people who are exempted: for example, financial institutions and their employees; persons and entities that provide simple referrals are exempted; lawyers appear to be exempted. Some of these exemptions may be warranted and some others may not. The bill should definitely go to committee so that discussion can be held, so that we can get on to the question of whether or not those exemptions are justified. I have every confidence that the member for Erie-Lincoln, who was able to speak for one hour on this issue, will have no difficulty both proposing an amendment to this effect and defending it at length—defending it at length.

Another matter here: The lifting of foreign ownership restrictions. The old act imposed foreign ownership

restrictions on mortgage brokers, and that required a prospectus to be filed with the superintendent in respect of mortgage transactions involving land outside of Ontario—the proverbial Florida swampland, I would say. I have to say, my father, who was raised on a farm, was very—what can I say?

**Mr. O'Toole:** Frugal.

**Mr. Tabuns:** Frugal is probably the best word. In Hamilton in the 1960s and 1970s, there were real estate agents who came up from Florida. You could go for a free meal and, in exchange, they would spend two hours trying to sell you swampland. My father, horse trader that he was in his youth, never missed a free meal and an exciting evening with Florida real estate agents to discuss their land and how he was not going to buy any, but he would like dessert.

I'm hoping that the prospectus that is being eliminated here will be brought back because, frankly, I think Ontario consumers should be protected. If in fact the land they're being sold is somewhat waterlogged, somewhat overrun with alligators, somewhat mosquito-ridden, they should know about it. Many people in this province don't have the opportunity to travel abroad—

**Ms. Horwath:** They're not as savvy as your dad was back in the day.

**Mr. Tabuns:** Well, yes, not as savvy as my father. So true. Those people should have that protection. There should be a prospectus describing really what the land is. Is it above or below water level, depending on the tide? That would be a very useful thing to have here. I'm hoping that in the committee process, amendments will be made to ensure that everyone is protected from the extraordinary acts that some small minority may engage in to sell these interesting pieces of property.

**Mr. Hudak:** Did he ever go to Florida? Did he ever visit?

**Mr. Tabuns:** I have been asked whether my father did go to Florida to inspect that land. If they had offered him a free trip down to inspect the land in February, he would have taken that opportunity, I have no doubt of it. He did go at a later time, not to inspect land but to check out the beach.

Mr. Speaker, we're getting to the end of the session. You've been very generous with me in terms of time. I understand there's some concern on the part of the government benches about my broad approach. I must say again that I've simply followed the example of the Minister of Finance. But it remains to be said that—

*Interjections.*

**Mr. Tabuns:** Excuse me, Mr. Speaker. I'm being, to some extent, distracted by my colleagues.

There's a general sense that the legislation should be supported, but that the act should go to committee so that a variety of exemptions can be discussed. The ones that have been put forward need to be examined in greater detail. The committee needs to look at this whole question of broker education.

**Mr. Hudak:** Work in the nukes. You have one minute.



**Mr. Tabuns:** I have to say that I've rarely been disrupted so much by such quiet commentary, but as you would know, Mr. Speaker, a yawn can be contagious and so can the cackling of other members.

*Interjections.*

**Mr. Tabuns:** It's interesting that the loyal opposition and the government are both engaging in a conspiracy to make it difficult for me to finish my remarks. If they will restrain themselves, I will in fact speak to Bill 65 in the larger context within which it will operate.

I'm hoping that in committee, when this is discussed, those who are sitting in that committee will make the amendments necessary to make this a stronger, better bill, and beyond that, will contribute to the prosperity of Ontario, and protect the electrical future of this province.

**The Acting Speaker:** The time now being after 6 of the clock, this House stands recessed until 6:45 p.m.

*The House adjourned at 1804.*

*Evening meeting reported in volume B.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock Halton	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton East / Hamilton-Est	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton Mountain	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)		<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)		Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Huron-Bruce	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kenora-Rainy River	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)		Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kingston and the Islands / Kingston et les îles	
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Kitchener-Waterloo	Van Bommel, Maria (L)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Durham	O'Toole, John (PC)	Lanark-Carleton	Runciman, Robert W. (PC)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	Leeds-Grenville	Matthews, Deborah (L)
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London North Centre / London-Centre-Nord	
Erie-Lincoln	Hudak, Tim (PC)	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	London-Fanshawe	Ramal, Khalil (L)
		Markham	Wong, Tony C. (L)
		Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Brotten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Niagara Falls	Craiton, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior– Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Trinity–Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Willowdale	Zimmer, David (L)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Renfrew–Nipissing–Pembroke	Yakubuski, John (PC)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York North / York-Nord	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale–High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

**Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Orazietti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craiton, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

**Social Policy / Politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qaadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

**Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

**Mercredi 14 juin 2006**

### **PREMIÈRE LECTURE**

<b>Loi de 2006 modifiant la Loi sur le vérificateur général, projet de loi 129, <i>M. Sterling</i></b>	
Adoptée .....	4604

### **DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

<b>Compétences linguistiques chez les élèves</b>	
M <sup>me</sup> Pupatello .....	4604
M. Klees .....	4607
M. Marchese.....	4608
<b>Aide sociale</b>	
M <sup>me</sup> Meilleur .....	4605
M. Jackson .....	4607
M. Prue.....	4608
<b>Mois de sensibilisation aux accidents vasculaires cérébraux</b>	
M. Watson .....	4606

### **QUESTIONS ORALES**

<b>Prix de la francophonie</b>	
M <sup>me</sup> Smith.....	4618
M <sup>me</sup> Meilleur .....	4619
M. McNeely .....	4619

### **DEUXIÈME LECTURE**

<b>Loi de 2006 sur les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques, projet de loi 65, <i>M. Sorbara</i></b>	
Débat présumé ajourné.....	4641

### **AUTRES TRAVAUX**

<b>Visiteurs</b>	
M. Lalonde.....	4603
<b>Représentation des femmes au parlement provincial</b>	
M. McGuinty.....	4609
M. Tory .....	4609
M. Hampton .....	4610

# CONTENTS

Wednesday 14 June 2006

## MEMBERS' STATEMENTS

<b>Native land dispute</b>	
Mr. Miller .....	4601
Mr. Hudak.....	4602
<b>Dennis Gudbranson</b>	
Mr. McNeely .....	4601
<b>Street racing</b>	
Mr. Klees .....	4601
<b>Forest industry</b>	
Mr. Bisson .....	4602
<b>MATALCO</b>	
Mr. Kular .....	4602
<b>Science projects</b>	
Mrs. Mitchell .....	4602
<b>Elder abuse</b>	
Mr. Zimmer .....	4602
<b>Kenneth Thomson</b>	
Ms. Smith.....	4603

## REPORTS BY COMMITTEES

<b>Standing committee on regulations and private bills</b>	
Ms. Horwath .....	4603
Report adopted.....	4603

## FIRST READINGS

<b>Auditor General Amendment Act, 2006, Bill 129, Mr. Sterling</b>	
Agreed to .....	4604
Mr. Sterling.....	4604
<b>Sheena's Place Act, 2006, Bill Pr29, Mr. Marchese</b>	
Agreed to .....	4604

## MOTIONS

<b>House sittings</b>	
Mr. Bradley.....	4604
Agreed to .....	4604

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Student literacy</b>	
Ms. Papatello .....	4604
Mr. Klees .....	4607
Mr. Marchese.....	4608
<b>Social assistance</b>	
Mrs. Meilleur.....	4605
Mr. Jackson.....	4607
Mr. Prue .....	4608
<b>Stroke Awareness Month</b>	
Mr. Watson .....	4606

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Tory .....	4611, 4616
Mr. McGuinty .....	4611, 4616
Mr. Barrett .....	4614
Mr. Ramsay .....	4614
<b>Nuclear waste</b>	
Mr. Hampton .....	4612
Mr. McGuinty .....	4612
<b>Electricity supply</b>	
Mr. Hampton.....	4613
Mr. Duncan .....	4613, 4619
Mr. Tabuns .....	4615
Ms. Broten.....	4615
Mr. Tory .....	4619
<b>Hospital funding</b>	
Mr. Brownell.....	4615
Mr. Smitherman .....	4615
<b>Ontario economy</b>	
Mr. Bisson .....	4616
Mr. McGuinty .....	4616
<b>Northern Ontario</b>	
Mr. Oraziatti.....	4617
Mr. Bartolucci .....	4617
<b>Energy conservation</b>	
Mr. Yakabuski.....	4617
Mr. Duncan .....	4618
<b>Illegal taxi operators</b>	
Mr. Prue .....	4618
Mrs. Cansfield.....	4618
<b>Prix de la francophonie</b>	
Ms. Smith .....	4618
Mrs. Meilleur.....	4619
Mr. McNeely.....	4619
<b>National child benefit supplement</b>	
Mr. Prue .....	4620
Mrs. Meilleur.....	4620

## PETITIONS

<b>School facilities</b>	
Mr. Wilson .....	4621
<b>Child custody</b>	
Mr. Craitor .....	4621
<b>Road safety</b>	
Mr. Dunlop.....	4621
<b>Identity theft</b>	
Mr. Ruprecht .....	4621
<b>Gasoline prices</b>	
Mr. Hudak .....	4622
<b>Immigrants' skills</b>	
Mr. Ruprecht .....	4622
<b>Education funding</b>	
Mr. O'Toole .....	4622
Mr. Hudak .....	4623

## Macular degeneration

Mr. Craitor .....	4622
<b>Long-term care</b>	
Mr. O'Toole.....	4623
Mr. Ruprecht.....	4623

## SECOND READINGS

<b>Mortgage Brokerages, Lenders and Administrators Act, 2006, Bill 65, Mr. Sorbara</b>	
Mr. Sorbara.....	4624, 4627
Mr. Hudak.....	4626, 4627, 4738
Mr. Tabuns.....	4626, 4636, 4638
Mr. Flynn .....	4626
Mr. O'Toole.....	4627, 4637
Mr. Colle.....	4637
Ms. Horwath .....	4637
Debate deemed adjourned.....	4641

## OTHER BUSINESS

<b>Visitors</b>	
The Speaker .....	4603
Mr. Lalonde .....	4603
Mrs. Van Bommel .....	4603
Mr. Prue .....	4603
Mr. Bentley .....	4603
Mrs. Elliott.....	4608
<b>Women's representation in provincial Parliament</b>	
Mr. McGuinty .....	4609
Mr. Tory .....	4609
Mr. Hampton .....	4610

Continued overleaf





No. 90B

N° 90B

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 14 June 2006

Mercredi 14 juin 2006

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 14 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 14 juin 2006

*The House met at 1845.*

### ORDERS OF THE DAY

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Mr. Speaker, I'd like to have unanimous consent to move second and third reading of Bill 62 right now.

**The Deputy Speaker (Mr. Bruce Crozier):** The minister has asked for unanimous consent for second and third reading of Bill 62. I heard a couple of nos.

### ELECTION STATUTE LAW AMENDMENT ACT, 2006

### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Mrs. Bountrogianni moved second reading of the following bill:

Bill 62, An Act to amend the Election Finances Act and the Legislative Assembly Act / Projet de loi 62, Loi modifiant la Loi sur le financement des élections et la Loi sur l'Assemblée législative.

**The Deputy Speaker (Mr. Bruce Crozier):** Mrs. Bountrogianni has moved second reading of Bill 62, An Act to amend the Election Finances Act and the Legislative Assembly Act. Mrs. Bountrogianni has the floor.

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** I'm pleased to rise in the House today to begin second reading debate on Bill 62, the Election Statute Law Amendment Act, 2006.

Ce projet de loi est important. C'est un projet de loi important qui marque la prochaine étape dans une nouvelle ère dans le paysage politique de l'Ontario, une ère de meilleure représentation pour les Ontariens et Ontariennes.

Political parties are one of the many vehicles that Ontarians use to participate in their democracy. This bill, if passed, will make it easier for small and new political parties to register in this province, and by making it easier to register new political parties, we're enabling citizens to choose their elected representatives from a greater diversity of voices.

Registered parties are entitled to run candidates in provincial elections and to take advantage of a number of benefits. These include being permitted to solicit finan-

cial contributions, issue tax credit receipts to contributors, request and receive a copy of the permanent register of electors for Ontario and be reimbursed for campaign expenses where qualified.

Under Ontario's current legislation, a party must run candidates in at least 50% of Ontario's ridings during a general election to obtain registered party status. In a non-election period, a party must submit a petition to the Chief Election Officer signed by 10,000 voters.

Our government believes that citizens should have a meaningful voice in shaping their democracy. This bill to reduce some of the barriers to party registration reflects that belief and our commitment to Ontarians. It's time to update the rules so they reflect our changing times and changing needs. We need to keep pace with new realities faced by our society, our communities and our citizens. That is what democratic renewal is all about.

With this bill, our government is proposing to allow parties to register by endorsing at least two candidates in a general election or in two or more concurrent by-elections. Outside an election period, parties will be able to register by providing the Chief Election Officer with the signatures, names and addresses of at least 1,000 voters. Many aspects of this bill may seem quite technical, but this bill is less about technicalities than it is about the quality of our democracy. By making it easier for political parties to register, we're encouraging better representation of the full diversity of perspectives across the province.

### 1850

This bill will create new opportunities for Ontarians to participate in the democratic process. At the same time, it introduces measures that will ensure that the integrity of party registration and the political finance regime are maintained.

This bill builds on protections in the current law by proposing amendments to the Election Finances Act. These include:

The Chief Election Officer will be required to deregister a party where fewer than two of its registered constituency associations nominate a candidate by the close of nominations in a general election.

The leader of a party will be required, as part of his registration application, and again annually, to attest that one of the party's fundamental purposes is to participate in public affairs by endorsing its candidates and supporting their election.

The Chief Election Officer may deregister a party whose leader fails to file the annual attestation of the

party's fundamental purpose or where there are reasonable grounds to believe that a party is not meeting its obligation to endorse candidates and support their election.

Grâce à ces mesures, nous établissons un équilibre entre l'ouverture et l'imputabilité, entre la représentation et la responsabilité. Et en ce faisant, nous revitaliserons la démocratie en Ontario et aiderons la population à participer de façon plus constructive à cette démocratie.

With these measures, we balance openness with accountability, representation with responsibility, and in doing so, we will revitalize Ontario's democracy and help citizens participate in that democracy more meaningfully.

This bill, if passed, will enable Ontarians to choose among a broader diversity of voices. This kind of choice is fundamental to a strong, vibrant democracy.

This is an exciting time for Ontario's democracy. We're building a lasting legacy of a more open and accessible government for generations to come. Encouraging meaningful participation in Ontario's democracy is the foundation of our government's democratic renewal agenda. It is the most ambitious agenda in our province's history.

We've already made significant progress in strengthening Ontario's democracy. The Citizens' Assembly on Electoral Reform was launched in March. For the first time, citizens will participate in a full, open debate on which electoral system best serves Ontario. This new form of independent decision-making will empower citizens as never before.

The citizens' assembly selection process is now under way. The 103 members, one from each of Ontario's ridings, will be randomly selected from the permanent register of electors by Elections Ontario. Beginning in September, the assembly will assess Ontario's current electoral system and others. It will recommend whether Ontario should keep the current system or adopt a new one. If the assembly recommends a change, our government will hold a referendum on that alternative within our current mandate.

The assembly is one of the most exciting things to happen in the history of Ontario's democracy.

We've also undertaken a number of other important democratic renewal initiatives. We've amended the province's election laws and set scheduled election dates so general elections take place every four years.

We've established real-time disclosure of contributions of \$100 or more to political parties and leadership candidates, retroactive to January 1, 2004. We believe citizens should know how political parties are financed.

We've preserved 11 ridings in the north and increased the number of southern ridings from 92 to 96. As a result, Ontarians will send 107 MPPs to Queen's Park in the next provincial general election—11 for the north and 96 for the south. We believe all Ontarians should be fairly represented in this Legislature.

We've extended the powers of the Auditor General to conduct value-for-money audits of public sector institu-

tions. We believe that taxpayers' money should be spent wisely.

We've enacted a law banning partisan government advertising.

We've required that cabinet ministers attend question period at least two thirds of the time. We believe that all ministers should be in the Legislature, on the job and accountable for their work.

We've required the Auditor General to independently review the state of Ontario's finances before provincial elections as part of our commitment to transparency and accountability.

And we've expanded freedom of information and salary disclosure laws to cover Hydro One and Ontario Power Generation to encourage more responsible spending in the future.

All of these measures are helping to restore public faith in Ontario's democracy and its democratic institutions.

In conclusion, Bill 62 is about making it easier for citizens to choose meaningfully from among the broadest range of possible representatives. This is fundamental to our government's vision of a strong, vibrant democracy for Ontario. I urge all members of this House to support this bill giving the people of Ontario more diverse representation.

**The Deputy Speaker:** Questions and comments?

**Mr. Rosario Marchese (Trinity-Spadina):** It's a pleasure to take the two minutes to respond to the minister's statement and to say that this was, I thought, about renewing democratic reform, or at least talking about democratic reform, the involvement of citizens in the decision-making. Consulting is part of what this Liberal government is all about. Yet, before coming to this chamber—and I was but a minute late, and the Conservative member luckily just came in at the right moment—

**Interjection:** Bradley?

**Mr. Marchese:** I was about to say—this has nothing to do with Monsieur Bradley because he's an honourable member and has been here for a long time; it has nothing to do with him. But the minister evidently moved a motion to move to second and third reading—

**Hon. Mrs. Bountrogianni:** No, I didn't.

**Mr. Marchese:** Who did?

**Mr. Peter Kormos (Niagara Centre):** The other minister.

**Mr. Marchese:** Another minister. Not the minister of Intergovernmental Affairs but Minister Ramsay moved the motion. There's a difference between the Minister of Intergovernmental Affairs and Minister Ramsay here. They sit but two or three feet away from each other, and it has nothing to do with the Minister of Intergovernmental Affairs that a motion would be moved to move immediately to second and third reading, thus eliminating any debate on this bill. This, from a government that professes to talk about democratic reform, that talks about the democratic deficit, that talks about the need to consult and discuss and debate, and we start the debate on this bill with a motion from Minister Ramsay to say,



"Move to second and third reading immediately." How can you trust this government?

*Interjection.*

**Mr. Marchese:** Minister Bradley, I excluded you from this affair. I already did that, I hope, with clarity. I was talking about the Minister of Intergovernmental Affairs, who discharges herself from any responsibility from what Mr. Ramsay may or may not have been doing with that motion, but I wanted to condemn it in the two minutes I have.

**Mr. Jean-Marc Lalonde (Glengarry—Prescott—Russell):** Listening to the minister when she spoke about this bill—it's very important that we increase participation for the government of this province.

In the last election, the participation was very low. With this bill we are creating new opportunity for Ontarians to participate in the democratic process while maintaining the integrity of the party registration and political finance regime.

Myself, I was fortunate to participate in observing elections in other countries like Cambodia and Africa, and let me tell you, the participation is way higher than what we have here now, and this is why we have a bill today.

We know that every party of this House will have a chance to submit amendments of the act. Let's hope that they will participate in that debate today and tell us what they would like to have as a change in that bill.

**Mr. Norman W. Sterling (Lanark—Carleton):** I guess I'm a little disheartened when I'm locked out of this Legislature as we put the mace down etc. I'm pulling on the door to get in here and it's still locked, and the clerk was a little bit late in opening the door, and I walk in—

*Interjections.*

**Mr. Sterling:** —I'm sorry—I walked in as soon as the door was open, I'm about 60 feet from my seat, and the Minister of Natural Resources, Mr. Ramsay, tries to curtail debate on an issue which deals with our democratic process, deals with our institution.

In some ways I'm not surprised, because this government has shown a lack of sensitivity with regard to all pieces of legislation dealing with democratic reform. There hasn't been consultation with regard to this bill. There wasn't consultation with regard to the citizens' assembly, with regard to setting that up and how that process should go forward. There was no follow-up by the government on the recommendations of the select committee, which included all parties and was dominated by the governing party, with regard to that process. I mean, they just don't get it. One party may be in power now, but another party is going to be in power again. I don't know whether it will happen on October 4, 2007 or sometime in the future, but there is a duty on all of us to respect each other and respect each other's opinions, and they're not showing that respect.

1900

**Mr. Kormos:** I'm looking forward to the debate. I'm looking forward to Mr. Sterling speaking on behalf of the

Conservative Party. Of course, he's one of the most senior members of this Legislative Assembly. I know that he, for instance, dealt with the ministry bureaucrats earlier today in a briefing on this matter. I wasn't able to be there. One of our research folks was there, Elliot Anderson. I was interested, quite frankly, in hearing a little more from the minister because I was under the—I acknowledge it now—misapprehension that this bill was in response to the Figueroa decision, the Supreme Court of Canada. Yet I understand, as reported to me when this was put directly to ministerial officials, that they said, no, it wasn't the case. I would understand if this were an attempt to respond to the concerns expressed by the Supreme Court of Canada in Figueroa. Having said that, the bill does not respond, is not responsive, to the judgment.

I then question, where does this come from? Why, on the one hand, is it up to a citizens' jury to decide certain things? And on the other hand, well, here's a little bill that's going to be pushed through the Legislature with apparently only modest participation by the government members, who one would think have the responsibility to justify, explain the wherefore and the why of, this particular piece of legislation.

I'm also concerned with this piecemeal approach, on the part of the government, to electoral reform. The piecemeal approach is a very dangerous one. The piecemeal approach without consultation is even more dangerous. The piecemeal approach without collaboration with other parties in the Legislature is downright undemocratic.

**The Deputy Speaker:** Minister, you have two minutes to respond.

**Hon. Mrs. Bountrogianni:** I don't understand what the honourable member means by "piecemeal." What we've done is made it easier for parties to register, but we've also put accountability in it so that the elections of Ontario, and the officer there, can immediately deregister a party if they do not have, by the end of the nominations before a general election, at least two candidates running. As it is right now, as the honourable member must know, parties often run without having members, just so that they can have the benefit of being called a party, so that they can have tax receipts etc. What this does is, yes, allow more parties to be formed if they wish, but it also makes them accountable to behave like political parties, to run candidates, to have platforms, as opposed to just being there for the sake of collecting their tax receipts. So, yes, we are making it easier for political parties to form, but we're also adding accountability to the system so that those political parties are parties in the true sense of the word and not just an easy way to get a tax receipt for their organization. We put a number of mechanisms in the bill to ensure that that occurs.

I don't know what the members opposite are worried about. Forming another political party is healthy for democracy, for a diverse population in Ontario. Yes, these are the three major parties, but there's also the Green Party. There are other parties that may wish to



have a different outlook than we have and, in order to be a truly democratic society, we do need to give them the option of forming a political party, but at the same time having the accountability so that they behave like a party and not just an organization that wants an easy way to get a tax receipt.

**The Deputy Speaker:** Further debate?

**Mr. Sterling:** You know, this could have been a really good debate and could have had the co-operation of all the members of this House, including the opposition, had the government been honest about the reason we're here at this time. We're not here because the Liberal Party, the Liberal government, wants to put into legislation an easier process for people to register as parties, collect donations and get tax relief. We're not here because of that. That's phony. We're here because of the Supreme Court case of *Figueroa v. Canada*, and we're here because Jen Elizabeth White took the Attorney General to court. That's why we're here. I have the brief in front of me with regard to what your Attorney General said in defence of our existing laws in that case on March 8.

This bill was introduced on February 16. On March 8, the Attorney General in his factum says:

"On February 16, 2006, Bill 62 received first reading in the Legislature. If enacted, the bill would amend s. 10(2) of the Election Finances Act to allow a political party to be registered if it meets, among other qualifications, the following requirements:

"(a) the party endorses candidates in at least two electoral districts, following the issue of writs for an election; or

"(b) at any time other than during a campaign period, the party provides the Chief Election Officer with names, addresses and signatures of 1,000 eligible voters who endorse the registration of the party."

What does the Attorney General request?

"The Attorney General of Ontario requests that this application be adjourned for a period of nine months, with costs to the applicant on a partial indemnity basis. This adjournment would allow the Legislature the opportunity to debate Bill 62, which if passed would repeal the provisions of the Election Finances Act challenged in this proceeding."

So we're not here because of something that the Liberal Party and the Liberal government wanted to do to change the democratic system of this Parliament. We're here because Jen Elizabeth White took the government to court. I might add that the reason I was able to trail and bring this down was thanks to my assistant, Lesley Daw, who noted that last September, when we were debating Bill 214, the Election Statute Law Amendment Act, in front of the committee, came Mr. Stephen Best who is a member of the Animal Alliance Environmental Voters Party of Ontario. Liz White and Stephen Best were at the hearing, okay?

Stephen Best was the spokesman, and what he said was:

"The proposed amendments to the Election Finances Act that would, if passed, require that reports be filed

with the Chief Election Officer five days after the deposit of a political contribution are the portions of Bill 214 that concern us the most.

"Liz White is one of the founding directors of Environment Voters, she's a director of Animal Alliance of Canada and she is the leader of a new Ontario political party that is trying to become registered. The party name, which has been accepted by the Chief Election Officer, is the Animal Alliance Environment Voters Party of Ontario....

"As a consequence of recent decisions by the Supreme Court of Canada, Liz White has commenced an action in the Ontario Superior Court to have portions of the Ontario Election Finances Act declared unconstitutional. If the challenge is successful, which seems likely, Bill 214 will have a direct impact on how we conduct our affairs in the future."

When Ms. White gets on, she says that that very day, which would have been September 19, her lawyer was commencing the action in the Superior Court. The hearing was held on March 8.

#### 1910

As we know, the chronology of events is, first of all, the *Figueroa* case, which was a case dealing with our federal system of elections or our federal elections act. At the Court of Appeal, they found in favour of the federal government, where they had a requirement that you had to have candidates in 50 ridings in order to constitute a political party. The issue, as described in the Supreme Court of Canada's decision, related to the fact about people, under section 3 of our Constitution, being able to participate in the democratic process. The Supreme Court of Canada came down pretty heavily in favour of the appellants, who took the Court of Appeal decision, which was against them, and the Supreme Court of Canada found in favour of them and said to the federal government, "You must amend your law to allow political parties to register in an easier fashion and they will have access to the same kind of financial advantages that a political party has at the federal level."

In other words, the taxpayer, as every politician in this House would know, is subsidizing the election process because when they give a contribution of \$100, they get \$75 back, and that makes it much easier to get a political contribution here in Ontario, and a similar case held at the federal level.

So the federal Parliament changed their rules, but they not only changed their rules with regard to how a political party could get registered and how easily that was done, but what they did as well, after, was to change the financing rules surrounding how political parties get their money in order to run campaigns. Had the government come with an open book with regard to this matter—they might have gained the co-operation not only of our party, but of the third party—and said, "Look, while this piece of legislation appears to be very simple and all we're doing is changing the rules for registration"—mind you, it's quite dramatic because at the present time, in order to be registered as a political party



in the province of Ontario, you would have to have somewhere between 53 and 55 seats where you had candidates, or you would have to have 10,000 people sign up as members of your organization before you became registered as a party. Then you could collect money with those advantages I mentioned.

The problem here is that when you tweak the system a little bit over here, it has effects over there. I think that once this piece of legislation is passed, it's almost asking for some election finance reform in terms of perhaps doing something like Canada did, and that is, the direct subsidization of political candidates and political parties, which the federal government has put forward as \$1.75 per voter that you collect, as opposed to the present system, where the subsidy is through a percentage of the contribution a person makes. For instance, in the last election, the subsidy my party received in obtaining something like 30,000 or 32,000 votes was somewhere in the neighbourhood of \$18,000 or \$20,000 to run the campaign in my particular riding. Had the federal law been in place, I would have received about two to three times that amount of money with regard to running the campaign in the area that I represent. If it had depended upon \$1.75 per voter, multiply 30,000 by a \$1.75 and you're in around \$55,000.

So what the conversation might have turned to, had the government actually consulted with the opposition and said, "Okay, look, we're trapped by the fact that we have a Supreme Court of Canada decision which says basically that our law is unconstitutional; we are in the throes of a court case with Jen Elizabeth White, who is a member of the animal alliance party"—I'm sorry if I don't have the name.

**Mr. Marchese:** Animal alliance environmental party.

**Mr. Sterling:** Environmental party, yes—"and we need to address the situation."

I would have hoped that, had it been done in that manner, number one, the passage of this bill would be a lot easier; we would not have had the kind of action from the Minister of Natural Resources, who tried to put this through the Legislature at both second and third reading without any debate. It's almost laughable when they talk about democratic reform and then one of the ministers of the crown stands and up tries to ram a bill through this Legislature 10 seconds after the session starts at 6:45 in the evening, on a summer night when legislators are making their way back from having a 45-minute break from dinner. It's almost laughable with regard to the government's whole idea that it is in any way really and genuinely engaged in any kind of democratic reform mandate.

I guess the other part of that that I found strange—as Mr. Kormos, the member from Welland-Thorold put forward—is that we were briefed yesterday by staff, and both I and the researcher from the New Democratic Party—my first question was, "Why are you doing this? Is it in response to the Superior Court decision?" They said, "No. We can't say anything about that." They were unsure of what they were saying to us, whether they were saying enough or not enough. They just couldn't be

straightforward. They couldn't discuss changes to our institution, changes to our system, without trying to hedge and be cute.

This is really astounding. Here the government had its back to the wall. The judge has not come down with his decision yet, so we're still waiting. We don't know what he's going to say with regard to Ms. White's action against the Attorney General. Maybe the courts will say to her, "You're all wrong. There's no need for change." And then, would we be going through this legislative process if in fact the courts upheld the present rules, which require a greater degree of participation before you can register as a political party?

I guess the other matter I would have liked to discuss with other parties before going forward with this piece of legislation is whether or not we would have to accommodate this kind of change in our standing orders. Our standing orders are basically written for party participation. In other words, it's the parties that have the control in this Legislature over who asks questions, how many questions are asked by each party. Basically, the whole process here is controlled by the leaders of recognized parties.

**1920**

We might have had a discussion that maybe we shouldn't lower the number to two ridings. Maybe we should have talked about a number which was equivalent to what a recognized party is in this legislative chamber: eight members. Maybe that's what we should have done. At least we should have had a conversation about those kinds of things, or whether we should change the rules how we run this place to accommodate an individual who was sitting as a one-party member. If we got into this Legislature a number of new recognized parties that only had one or two members, then I think it requires a different mentality with regard to the whole standing orders and the way we run this place, because you couldn't ignore those people who had elected these particular individuals.

I guess the other part that's interesting with regard to what the feds did when they lowered their threshold from 50 to one candidate—you used to have to run 50 candidates; now you have to run one candidate—is that they really bore down on some outside advertising during campaigns. I think you have to talk about the financial factors of a change like this, the dynamics that are likely to occur in an election when you have a change like this and whether it's fair to the various political interests that are there.

So here we are. We're not going to pass this bill probably before the House rises at the end of next week, although that would have been a possibility had perhaps previous discussions gone on, but when you read the factum of the Attorney General and the request they put forward, it really does sort of say in here, "Our whole defence is based upon the passage of this bill to avoid an unconstitutional election act, which we now have." That's basically what they admit in their particular factum.



I want to say that this bill leads to or will lead to the creation of a number of new parties. As I understand it, Ms. White ran in the last federal election. They had one candidate in one riding. The Animal Alliance Environment Voters Party had a federal party because they were able to register. She received, I believe, 75 votes in that particular federal election, but she did have the opportunity to participate, and she did have the opportunity of the same kind of financial advantages that other Ontario parties have.

It's interesting to note in history that there have been a number of parties that have tried to participate in this province over the last number of years. In fact, the election officer has rejected over 130 applications for party membership into this Legislature. Let me name some of the parties that have tried to register in the province of Ontario but have been unsuccessful: the Representative Party of Ontario, the Republican Party of Ontario, the Royal Canadian Equity Party, the Grey Party of Ontario, the Multicultural Party of Ontario, the Socialist Alternative party, the Ontario North Party, the Canadian Alliance of Ontario party, the Province of Toronto Party, the Cannabis Party of Ontario, Labour Party of Ontario, the Marijuana Party of Ontario, the Ontario Marijuana Party, the Priorities, Opportunities and Tolerance Party, the Canadian Compassionate Capitalist Party of Ontario, the Right Honourable Sir John A. MacDonald Party of Ontario, the Did You Know Party of Ontario, the Unlimited Services Party of Ontario, the Peoples Dynamic Party, the Socialist Party, the United Alternative Party, the Bible Party, the Cosmopolitan party, the Councillor Party of Ontario, the Ontarian Party, the Marxist-Leninist Party of Canada-Ontario, the Northern Ontario Coalition, the New Investors Committee Party of Ontario, the Rainbow Coalition Party, the Poor People's Party of Ontario, the Humanist Party of Ontario, the Ontario National Party, the People's Front Party of Ontario, the United Party of Ontario, the Justice Party of Ontario, the Environmental and Economic Earth Watch Party of Ontario, the Ontario Democratic Party, the Enhancement of Democracy Party, the Modern Party, the Peoples Political Party, the Renewal Party of Ontario, the Next Generation Party, the Public Interest Party, the Canadian Workers' Party, the Ontario Vision Party, the Canadian National Patriotic Front Party of Ontario, the Alliance of Intradependents Party, the Ontario Options Party, the Ontario Sovereignist Party, the Sovereignty Association Party of Ontario, the Free Ontario Party, the Abolitionist Party of Ontario, the Grassroots Party of Ontario, the New Conservative Party of Ontario, the Ontario Liberation Front, the Citizen's Party of Ontario, the Direct Democracy Party, the Nationalist Party, the Continental Party of Ontario, the Party of Principles of Ontario, the Party Party of Ontario, the Democratic Union Party of Ontario, the Populist Party for Ontario. You go on, you go on, you go on. I haven't read 30 or 40 of them.

I think what this points to is the fact that there no doubt will be a take-up with regard to this legislation, because basically what we're saying here is that all you

have to have is 50 people in order to form a party. You've got to have two candidates running in two ridings, 25 members each to sign them up, and they're in. And that, I think, causes reflection with regard to the electoral process, because by the very nature of the names of the parties, we can see that some people would want to be involved in this process in order to obtain notoriety etc. but weren't really interested in the electoral system, and I think a true debate should go on about that particular matter.

I can remember in the eight elections I have been involved in standing on the stage at an all-candidates meeting, and there would be five or six candidates up there. I can remember the frustration of the public with regard to the fact that what they really wanted to hear was the stand of those people who were truly involved in the election. In terms of the Liberals, the New Democrats and the Conservatives, they really wanted to hear from them, but it makes the process very awkward. Once you allow this particular situation to develop, you're going to have all-candidates meetings with 12 or 13 candidates. Those people who are involved in the actual election, those having a chance to become the government and whom the people generally come to hear, are caught up in this other milieu of candidates who under our present system can still run as independents and stand up and be there. It does make the process more difficult.

I'd like to talk about how you handle that at the local level, because it's very difficult for the ratepayers' association to run an all-candidates meeting when all of a sudden you increase the number of candidates from five to 12. I'd like to talk about that, as to how it can be done fairly, and have some kind of process for that to happen.

### 1930

It's pretty hard to argue against the Supreme Court of Canada when they hold that section 3 requires that we have to amend our act. So we have to amend our act and make it easier for people who didn't have the numbers and the organization to form a party. I accept that, but let's try to do it in some logical and reasonable fashion so that the rest of the public and the electoral process—those people who are interested in hearing and listening and working with candidates who have a real chance of forming the government—are also recognized in some fashion. This legislation just abandons the whole thing and walks away from it.

It's pretty hard to argue, however. You can't deny these people, because our constitution, which overrides anything that we can do in this Legislature, holds forth. I have a great deal of difficulty with that, and I have a great deal of difficulty with the process that this party has gone through and this minister has continued to exhibit with regard to the legislation; not being forthright about the reasons why we're here; not being forthright about the present action which is in front of the Ontario Superior Court of Justice. In many ways, the application mirrors the case we mentioned before, which was heard in the Supreme Court of Canada in 2003.

The other part that is amazing about the timing of this particular piece of legislation is that here we have set up



a citizens' committee and constituent assembly for 103 individuals from across our province to look at how MPPs are elected. One of the options they may come back with relates to a proportional representation system. In fact, I think it's almost a slam dunk that they're going to come back with a recommendation for some kind of proportional representation system. If they do that, how do you tie this piece of legislation in with what they're going to do? I understand they will be reporting in the fairly near future.

This legislation is really out of sync with regard to what the Legislature and this government are doing on the other hand with the citizens' committee. What happens if they come back and say, "We want a totally proportional system?" How do you have a riding then where a party must have candidates in two ridings? There won't be any ridings. They'll just have districts where you'll have a slate of candidates who can be elected.

The legislation doesn't take into account the present process that the government already has under way with regard to the constituent assembly to look at how MPPs are elected. It assumes that first-past-the-post is going to be the result. So the two efforts are going off in two different directions.

**Mr. Marchese:** Or could potentially.

**Mr. Sterling:** Yes, it could potentially. This legislation could be redundant if we go to a proportional representation system.

**Mr. Marchese:** So you're attacking the fact that this government is coming here with a piecemeal kind of a—

**Mr. Sterling:** Well, we've seen the way the government has set forward their agenda. Instead of dealing with what's wrong with the institution, to encourage people to participate in the institution, they've gone to the easy markers: a fixed election day. It was interesting to read the federal Liberals' reaction to Stephen Harper, our Conservative Prime Minister, bringing forward the fixed-date election. They called it fluff. They said it was a minute change. They had the same criticism that I had in this Legislature that Stephen Harper can still walk down the corridor any day to the Governor General and dissolve Parliament. Well, Dalton McGuinty can walk down the corridor tomorrow and call an election. The October 4, 2007, date is only a promise that we're going to have an election that day, but the Constitution says that there's only one way an election can occur, and that is when the Premier walks down the hall and says to the Lieutenant Governor, "Call an election." Even if we have a confidence motion or something that appears to be a confidence motion in this Legislature, if the Premier of the day doesn't interpret it as a confidence motion, he doesn't have to walk down the hall. There's nothing to force him, other than the public. He has total control of the situation as to when to hold the election, and that's true about Stephen Harper; it's true here. It's in the Constitution. You have to change the Constitution in order to make the fixed-date election an actual legal reality. But it's so interesting to see the federal Liberals talk about this, Ralph Goodale just dumping all over Stephen

Harper about this not being real, true democratic reform and that Stephen Harper can still walk down the hall etc. So the shoe has really been put on the other foot in that particular case.

I think people in general like the idea of a fixed election date. That's why I introduced a bill for a fixed election date here before the government did. As you may remember, I introduced that bill a long time before the government even brought a bill to the Legislature. My worry was that the government would chew out a four-and-a-half-year term rather than a four-year term, and I wanted to be sure that they held themselves to a four-year term. That's what they did in the end, because the public actually would like a three-year term, as I would.

This bill, and the ability of parties to set up under this bill, could cause—there could be some frivolous and vexatious use of some of the different sections of it.

**Mr. Kormos:** Some mischief.

**Mr. Sterling:** There could be mischief. I mean, can you imagine some particularly single-purpose parties who are not really interested in the governing of the province but are interested in their single issue? The Supreme Court of Canada has addressed that issue and that's what the Court of Appeal, that first heard the case before the Supreme Court of Canada got it—they said that there could be this heavier burden in terms of getting registration as a party, because they interpreted section 3 of the Constitution to say that it was reasonable, under section 1, to have that kind of threshold because of the idea that you should be in a position to form the government in order to become a political party. But the Supreme Court of Canada clearly rejected that argument in their final decision when it came down in June 2003.

1940

One part of the bill that is very bothering to me is the requirement that the party have as a fundamental purpose the political—here it is. I'd better read it: "A statement, attested to by the leader of the party, that participating in public affairs by endorsing candidates and supporting their election is a fundamental"—a fundamental—"purpose of the party." My view is that that section should read, "A statement, attested to by the leader of the party, that participating in public affairs by endorsing candidates and supporting their election is the fundamental purpose of the party."

My concern is that there are lots of well-meaning causes, people who feel very, very deeply about certain issues, but if you are in the electoral process and you are providing the opportunity to be registered as a party, and if you are giving taxpayers' money to those parties to communicate with the public, then I believe that it should be the primary purpose of the party to be involved in the election process. That should be the overall thrust of it. It shouldn't be just a part of the total idea of the party; it should be the primary purpose. I'm concerned that it's possible, under this piece of legislation, for people to form a party to be involved in a minor way with the election process, but be more involved with the idea of



professing an idea through and with their own membership rather than going out from that membership and to the public in order to have the public endorse that idea. So I worry about religions, sects and other kind of cults using this piece of legislation for mischievous means and for mischievous purposes. So I think just changing the word "a" to "the" would give great relief to my party in that regard.

I think it's important for the public to know from where we are and to where we're going. At the present time, it is required that a political party have candidates in 50% of the electoral districts. So that means in Ontario in the next election you'd have to have at least 54 candidates in order to be a registered party; that before that time you'd have to have 10,000 people who would set themselves up, who are eligible to vote in the election, and endorse the registration of the political party. Now, 10,000 voters out of, what, 8,000 or 9,000 voters, is probably not that large a hurdle to jump over, but what we have done is gone from that, from 54 ridings, down to two ridings, and we've gone from 10,000 signatures endorsing the party to 1,000 signatures. It's quite a quantum leap downward with regard to the requirement to register the parties. I suspect that we will have some more parties registering as a result of this change in legislation.

I guess my greatest point is that when you do this, you should consider all of the other parts of the process. You should be considering how the election is going to be run, how these third parties are going to react in the election. I understand that some minor parties would run in a particular constituency and then endorse one of the other major parties as their chief purpose in running. They want to get the attention of the public and say, "We endorse such and such a candidate because they believe in our particular bent."

I suspect that the debate of pro-life, pro-choice people, who are registered parties, will be included in future elections as a result of this kind of amendment. I don't look forward to that debate. I have participated in that debate, but I guess that's the price of having the Constitution as we have written as well.

The other part of this is that the bill does make some corrections with regard to the name of some ridings. That isn't a big deal with regard to anything we would have. I am, I guess, most of all disappointed in the fact that the government has been so callous with regard to this. They have been so, I would say, almost childish with regard to how they bring this kind of legislation in.

You know, members who have been here for a while—and I have been here for a long time—

**Mr. John O'Toole (Durham):** Thirty years is not bad.

**Mr. Sterling:** Not 30 years; close to. I think my friend Mr. Kormos and those people who have been around here for a while—notwithstanding that we represent a party and we're all looking for and recognize when advantage is there—all want to make this place work a little bit better, and I just have a great deal of trouble with the fact that when you bring in democratic reform, it comes from one party, a majority government, a fairly large

majority government, without regard, really, to the opposition and their input into the legislation, which is totally contrary to where I think the public are. I think the public really want the government of the day, even if it, in fact, has a very large majority, to not stomp on the opposition. That's what this seems to be.

The government has not been forthright at all with regard to their reasons for bringing forward this legislation. If they had just said to the opposition, "Look, we've got to do this. We've got the Supreme Court of Canada decision against us. We've got this case in the courts with regard to Jen Elizabeth White. Let's try to work out something that'll hold us at least until after the citizens' committee comes back," and we'll do that. You probably would get the legislation on a nod. Instead, we have the government denying that they're reacting to a constitutional problem with regard to our present legislation, and then we have that reaction by the Minister of Natural Resources today to try to just stifle debate on this bill, to try to play cute on a piece of legislation that deals with how our electoral system works.

With that, I'll finish my remarks and hope that the government at least changes the legislation to include the word "the" where "a" is and make it "the fundamental purpose of the party" to be involved in the election process and not just one of their fundamental purposes.

**The Deputy Speaker:** Questions and comments.

**Mr. Marchese:** I want to commend the member from Lanark—Carleton for raising a number of concerns about this particular bill, and I would start with a quote from the Liberals that said, "For decades, we have watched our democratic institutions erode. And for the last eight years, we have seen these trends accelerate dramatically under the Harris-Eves government. Public consultation on major legislation used to be automatic. Now it is the rare exception."

I'm reminded about that quote because, as the government introduces such a bill that speaks about the democratic process, that speaks about democratic institutions and how we renew them or reform them, here is a bill around which the government has done little or no consultation—now, I shouldn't say "little"—has done no consultation with the opposition parties or any of the 10 political parties that exist in Ontario, which are the Communist Party, the Libertarian Party, the Confederation of Regions Party, the Family Coalition Party, the Freedom Party, the Green Party, the NDP and the PC Party. They have not consulted with us at all, or with these other parties. You would think, given that this government has a predilection for consultation, that not only we here would be consulted, but the other parties that would be affected by this. And not only that, the member for Lanark—Carleton raises the issue of how is this consistent, if at all, with the citizens' assembly in terms of its work, what it's likely to do or what it's likely to recommend, and would that or could that be consistent with this or inconsistent with this. We don't have a clue.

And what about the Figueroa case that the member for Lanark—Carleton mentioned? Is this consistent at all with the Iacobucci ruling? We don't know. The government



says it has nothing to do with it. But is it consistent? The minister hasn't commented, nor has the government. There's much to talk about when it comes to this bill.

1950

**Mr. Lou Rinaldi (Northumberland):** I'd like to add my two minutes' comment to this legislation. I've been listening for the last hour or so, and I keep on hearing that we haven't done consultation, we're not listening, we haven't done this, we haven't done that. I can tell you, just under three years ago, when we were campaigning—we are so fortunate, all of us, to be in this place today—that was consultation. I heard what people had to say. I heard about the challenges of people making choices. I heard about the lack of choices. I heard the cynicism among different parties. We, as a government, have listened, loud and clear. It's unfortunate that folks sitting on the other side of the House maybe weren't paying attention. We're addressing those.

Is this going to fix all the problems to do with elections? I think it's a step in the right direction. We're allowing for more choices, and the more choices we have out there, I think there's a greater opportunity for people to be engaged and to take part.

So yes. This does not fix all the problems, but it's certainly a right step to try to address some of those concerns. We've listened. The minister has done an enormous amount of homework on input from listening to the public. We're ready to move forward with this piece of legislation. Let's move on with democratic renewal.

**Mr. O'Toole:** I certainly have remained this evening just to listen to the member for Lanark–Carleton, the senator, if you will, of this caucus of this House. He has participated in debates on many topics, and on this particular topic he's engaged. Premier McGuinty would say he's seized by it. He's anything but seized, because he is committed to real discussion and real reform with respect to this particular initiative.

I listened to his remarks, talking about the Supreme Court decision of March 8, 2006, and how the Supreme Court was dealing with a particular application brought forward by Liz White and Steve Best on the Society for the Prevention of Cruelty to Animals and how this ended up here.

What I find now, under the guise of democratic renewal brought in by Minister Bountrogianni—it's surprising how easily they're manipulated. Just reading the preamble of this bill, the very tiny bill—and the member for Lanark–Carleton put considerable time into this—I was surprised. I'd encourage members to read it; most haven't. Currently, you have to have 50% of the electoral districts; they're moving that down to two. They're lowering the standards, similar to what they're doing in education, actually. Where you needed to have 10,000 voters, now you only need to have 1,000 voters on the list. This is anything but encouraging, almost demanding participation in the democratic process. I'm surprised and, quite frankly, disappointed that they would present this as a bill on democratic reform. I'm impressed by the member from Lanark–Carleton, our dean here. As he said, this is anything but a proper debate—

**The Deputy Speaker:** Thank you. Questions and comments?

**Mr. Kormos:** I will be speaking to the bill in the lead-off for the New Democratic Party in a couple of minutes' time, but I do want to thank and commend the member for Lanark–Carleton for his contribution. I told you before he spoke that he was inevitably going to have some important things to say, but I'm amazed at how (1) disingenuous Liberal backbenchers are in their responses to Mr. Sterling, and (2) I'm amazed at how people who have been elected to this assembly, people who are one of but 103 people who get to serve Ontarians in this Parliament, can be treating this whole matter so flippantly, so lightly.

I'm not amazed, but I'm certainly saddened, by the fact that the government chooses to call this bill for second reading, especially the initiation of second reading debate, in the evening when they know that the press gallery aren't present and aren't monitoring the debate in this assembly.

We're dealing with very serious stuff here. For the life of me, how some of the members in this assembly say, "Oh, well, we were told this is irrelevant, meaningless. We'll just let it pass and life will go on"—that's downright not only silly but I suggest an abdication of one's responsibilities here as a member of the assembly.

This bill represents a very serious shift, and for it to be done without the type of consultation—don't give me that stuff about having gone to the polls three years ago. It's a load of hooey to suggest that somehow any Liberal member went door to door saying, "Would you like us to lower the threshold for political parties to but two candidates in a provincial election or but 1,000 signatures?" I'm going to be speaking to this further in a few minutes.

**The Deputy Speaker:** The member for Lanark–Carleton, you have two minutes to respond.

**Mr. Sterling:** I noted originally that the Attorney General in the case against Ms. White has asked for a nine-month adjournment so that this legislation can pass, so that all the problems brought forward by Ms. White can be fixed up. This is what they say in the alternative: "In the alternative, if this court finds that this s. 10(2) of the Election Finances Act is unconstitutional, the Attorney General submits that the appropriate remedy is a declaration of invalidity, suspended for a period of nine months. Such a suspension would allow the Legislature the opportunity to debate Bill 62, to hear submissions from stakeholders, and to address the impugned provisions."

Then under the other part it says, "Charter s. 3 guarantees the right of each citizen to play a meaningful role in the electoral process. The Attorney General of Ontario submits that citizens should also have the opportunity to play a meaningful role in the debate concerning the amendments proposed by Bill 62. The issue of party registration may interact with other democratic renewal issues"—what we've been saying—"including the financing of political parties and election campaigns, the nature and level of the benefits associated with registered



party status, and the concern that the party registration system should not become a means by which lobby groups can access public funding to subsidize their political message. Such polycentric issues must be considered carefully as a whole, along with input from the public and affected stakeholders. The Attorney General of Ontario submits that this court should suspend the effect of its declaration of invalidity for a period of nine months, so as not to foreclose the opportunity of all interested parties, including the applicant, to make their views on political party registration known to the Legislature.”

We just want the same treatment as the Attorney General is saying that the court should give to the Legislature and the people of Ontario.

2000

**The Deputy Speaker:** Further debate?

**Mr. Kormos:** Firstly, I want to indicate how sad it is that this bill is being called, after being on the order paper since February 16, to commence second reading debate in the dark of the night and when there are, quite frankly, but precious few members in the House, most importantly government members, to hear the commentary on the bill.

There has been an effort to portray the bill as something akin to, oh, modest housekeeping.

Even more regrettable was the report from the briefing by Mr. Sterling, the member for Lanark–Carleton, and by the NDP staffer, Elliot Anderson, that ministry staff briefing opposition caucuses on the bill failed, refused, to identify the bill as a response to Figueroa. Of course, the pending case referred to in the Superior Court by Mr. Sterling is a made-in-Ontario application to the court to find some similar sections of provincial legislation invalid constitutionally, pursuant to section 3.

People should know that I’m one of the few members in this assembly who’s had to run against John Turmel. I suppose as much as he keeps that in his record book—oh, I see there’s perhaps one other member in the assembly who has run against Mr. Turmel. There’s a rumour the member from Essex, Mr. Crozier, might have had his campaign, his pursuit of elected office, contested by one John Turmel, who is, as you know, an incredibly intelligent, capable person. I mention Mr. Turmel to point out that nobody is denied the opportunity to run as a candidate. This bill doesn’t change anything in that regard. Any Ontarian eligible in terms of residency and citizenship and those sorts of things—you get enough nomination signatures on nomination papers, you can run. Heck, we’ve seen people like John Nunziata run, amongst others.

**Mr. Marchese:** As an independent.

**Mr. Kormos:** Without party affiliation. We saw litigation between members of the same party, one who was the official candidate, the other the unofficial candidate, litigation that would attempt to bar the unofficial candidate from using the Liberal insignia. It was Liberals in that particular instance, here in Toronto, as I recall.

Anybody can run, and nobody quarrels with that proposition. But I am concerned, and we all should be

concerned, about the potential for mischief. I raise Mr. Turmel as an illustration, because Mr. Turmel has the capacity—and again, he’s perfectly entitled to at law—to cause a great deal of mischief. If it is a matter of running against Mr. Crozier from Essex or myself down in Niagara Centre or anybody else who gets elected in a by-election, so be it.

But we’re talking here about taxpayers’ dollars; Mr. Sterling was quite clear about that. This goes beyond eligibility to run. This isn’t about eligibility to run, really, is it? It’s about taxpayers’ dollars. I don’t think there’s a single person in the room who isn’t going to stand up and say that they believe in the charter. I’m a charter fan. There’s a school of thought out there—and they’re not anti-democratic—that are not charter fans. But I want to raise, first and foremost, the potential for mischief at great expense to the taxpayer.

Mr. Sterling listed a number of political parties that, at the very least, have ownership of the names of their parties, most of which are not registered as political parties. But I put this to you: Mr. Sterling has made it very clear that 1,000 signatures in between elections can create a political party. Fifty signatures—25 signatures for each candidate—50 signatures can create a political party for the purpose of accessing significant amounts of tax dollars: 75% of the first hundred bucks. We all know the political donation tax credit system.

I tell you right now that there are scam artists anticipating this legislation. Do I have to be explicit about how the scam is going to work? Two persons with 25 signatures can pay the modest fee to run an election campaign and can then give each other political donations, and their families can give each other—and if they’re Liberals, the children of their families can give each other; infants unable to hold their own pacifiers will be signing checks to Joe Volpe. But think about this: Two scam artists can form a political party, because the only threshold is being a candidate and identifying yourself with a name. They could call themselves the Scam Party. They could give each other political contributions and the taxpayers would be bilked out of thousands upon thousands upon thousands of dollars, and it would be legal, wouldn’t it? This government is prepared to make that type of scam perfectly legal.

And I’m talking about the overt bilking of the taxpayer; I’m not talking about the mischief. The stories are legion: candidates who get nominated who have names similar to candidates for mainstream parties who never show their faces during the course of an election. It’s been done again and again. Out of our interest in preserving the right of people to run for elected office—and you have to be very careful. Unfortunately, in terms of how you balance these interests, you’ve got to allow people to run as candidates, and it then becomes very difficult to control that sort of thing.

One of the interesting things—and I must say, I was impressed that Rosario Marchese had read the Figueroa judgment from the Supreme Court of Canada.

*Interjection.*



**Mr. Kormos:** No, wait a minute; pay attention, please. He read it, but I wonder if the ministry has read it. Because in the concluding statement of the majority judgment, Iacobucci says, "But suffice it to say, the objectives advanced do not justify a threshold requirement of any sort, let alone a 50-candidate threshold." That's pretty strong language, isn't it? The government is creating a threshold of 1,000 signatures and two candidates. They don't have to be successful candidates. People have got to understand that. We're not talking about two persons elected to sit in a Parliament, provincial or federal; we're talking about two candidates, who could get three votes each. It matters not. They don't even have to get their deposit back, they don't even have to come close to getting their deposit back, and they get to keep all the taxpayer-subsidized money.

So the government here imports a threshold. I don't want to speak for Mr. Sterling, but I think I understood him, again in the limited time available to him, to say that yes, part of the problem is, why the threshold of 1,000 signatures and two candidates? Why not one candidate? Why not 3,000 signatures and no candidates? Where did this number come from? Where's the rationale? Where's the justification? How does this threshold that you create have legitimacy? Because the Supreme Court of Canada was very, very careful not to prescribe the formula, neither in the minority judgment nor—and it is a minority judgment; it's not dissenting, in that they come to the same conclusion, but the LeBel judgment is very interesting in its own right in terms of some of the things that are said there. The interesting thing is that the authors of the two parts of the judgments read each other's judgments, because they refer to each other's judgments in their judgments. Do you understand what I'm saying, Mr. O'Toole?

2010

Where'd the number come from? If you weren't responding to Figueroa then where did you get your direction from? And if you were responding to Figueroa then why don't you abide by the ruling which says, "... suffice it to say, the objectives advanced do not justify a threshold requirement of any sort..."

The justice was very careful to refer to the threshold—there were three objectives that were argued by the state, by the Attorney General of Canada, as justification for the 50-candidate threshold. Was it clear to the court? I don't know. I'm assuming the court said if there were other objectives, which we haven't considered here, they may justify the threshold. As a matter of fact, the court, because it wasn't asked to rule on the need for a party to have 12 candidates in the federal rules before the party affiliation could be printed on the ballot, said, "That's not before us; we don't have to rule on it." But they were also careful not to say, "That would be unconstitutional as well," because that wasn't one of the objectives that was being argued, as I understand it, by the Attorney General of Canada. The court was very, very careful to say that it was only in the context of the very specific arguments being made in defence by the Attorney General of Canada that no threshold at all was acceptable.

Peter Rosenthal, who argued the case—I'm a big fan of his. I have the highest regard for him. He's a mathematics professor and a lawyer. He's just a brilliant person and—

*Interjection.*

**Mr. Kormos:** I don't know—I shouldn't say it. Most of his cases are pro bono; I don't know whether this one was or not, except that it appears that the Communist Party had a fair amount of—that's what the decision was all about. The Communist Party of Canada, the old hard-line former Stalinist Communist Party, didn't want to have to forfeit the election funds that had been raised, because if you are a registered political party, any excess election funds can be transferred over to the party so the party can be the recipient of it. Apparently there was enough money floating around from Communist Party contributions—they had no successful candidates; I think that is a notoriously known fact—and the government was going to seize the money. It was a very important issue. Well, it is an important issue. I'm proud of Peter Rosenthal. As a matter of fact, Kikelola Roach, who is becoming increasingly well known in her own right in the legal community here in Toronto, co-counselled with him. They did a brilliant job—a brilliant job. Yes, they forced the Supreme Court of Canada to make a very exhaustive review of the law and issues, the issues as presented in this case.

I wonder if the ministry of democratic renewal had occasion to talk to Mr. Rosenthal and to consult him about what he thought the standard should be, with or without a threshold, for political parties here in Ontario.

Again I don't know, but I'm convinced the minister doesn't either. I am being very candid. There have been a couple of major—the Barbeau commission and the Lortie commission, both referred to in the judgment, that have examined these things exhaustively. The minister inherited the file, and I appreciate that and I respect that. The minister inherited the file from her predecessor, who was too busy chasing pit bulls. Mr. Bryant's passion for pit bulls overrode all the other things that crossed his desk.

There is just an arbitrariness to the design being proposed, and also, as I say, a very dangerous element in terms of the patchwork of it, and a lack of straightforwardness, a lack of candour, a disingenuous position taken by the government in that, "Oh, we're not responding to Figueroa. We just decided that this is going to be part of our democratic renewal package."

I, quite frankly, would be far more interested in letting the court make a ruling on the matter that's before it dealing with Ontario election law as compared to federal election law, because the Supreme Court of Canada and Figueroa are fascinating to me, especially when the LeBel judgment took into consideration the regional factor. One of the observations Justice LeBel makes is that with the 50 rule, you couldn't have a Bloc BC; it would only be Ontario and Quebec that could create a provincial or regional party. He makes that calling very objectively. There are a whole lot of people who may be



listening now who would say, "Well, all the more reason to perhaps raise the threshold." The Bloc has not been particularly good, in my view. Other people may disagree, but the Bloc hasn't been particularly healthy, with its regional interests, nor have other regional parties, like the old Reform Party, which was very much a regional party, very much a western party—not one province, because they couldn't have passed the 50-candidate threshold. So that makes the consideration—I'm just raising this—in the Supreme Court of Canada judgment dealing with the federal election law distinguishable from the considerations that might be made dealing with the law in the province of Ontario.

I also find it interesting that the minister is here talking about: Two candidates and you're a party. Where was she in 2003 when the poor New Democrats, having elected only seven members, were being told, "You're not a political party"? Where were you, Minister?

**Hon. Mrs. Bountrogianni:** I was here.

**Mr. Kormos:** We didn't hear from you then. We didn't hear from you. You weren't championing parties that didn't elect in a—we had in 1990, but by 2003 there were seven. So where was the government when it came to democracy in 2003? Dalton McGuinty said, "The rules are the rules," and then the folks of Hamilton elected Andrea Horwath.

So where is this shift coming from? Is the minister some kind of wild-eyed radical who is perhaps more interested in just overthrowing the system than in merely democratizing it? Is there an anarchist lurking deep in the heart of this Liberal minister? I don't know.

We do insist, of course, that the bill go to committee, and I can hear it now: "Well, we'll have 20-minute slots for these people and 10-minute slots for these people," and there will undoubtedly be available to the committee, should we be able to force this bill to committee, people who would want to make major contributions to the discussion of this bill. How many times have all of us sat in subcommittees and been embarrassed when we listened to government members saying, "Well, let's see. That's a major national organization. We'll give them 20 minutes. Here's a professor with lengthy academic credentials with a great deal of insight and experience and we'll give her or him 20 minutes instead of the 15 or 10."

**2020**

I've watched committees, in the course of 18 years—nowhere near as long as Mr. Sterling, but then again, I'm not as old as he is—metamorphose from lengthy, thorough considerations of serious matters that utilize the talents of any number of people who come, free of charge, prepared to shed some light, to lend advice, to offer some creative solutions, to help guide the debate, to tool us, to give us the arguments and the insights necessary to effectively debate, and committees wherein the members were engaged, to committees where government members sub in for each other in and out throughout the course of a day, never mind the life of the committee, where the only questions that are asked are

those that are being asked of the PA, who is scripted, where there is no bona fide interest on the part of other government members because it's a done deal.

You see people come to the committee and they're excited—sometimes it's the first time they've been to Queen's Park—little organizations, big organizations, individuals with whole long lists of letters and degrees after their names, other people, just hard-working folks who have insights, all excited. They sit there waiting anxiously and then they get seated down and they're earnestly trying to make their submission, and government members are waddling in and out of the committee, they're gossiping with each other, they're playing with their damned BlackBerrys. Lord knows what they're watching on them, but I can see the looks on their faces, glazed eyes. It embarrasses me to think what some of those people are watching on BlackBerrys during the course of committee hearings.

People walk out of there not just shocked but hurt. They do. They shake their heads. They worked hard researching stuff, reflecting on stuff, and then 15 minutes is up and the Chair, doing the Chair's job, I acknowledge, says, "Sorry, sir, madam, your time is up. Who's the next presenter?"

**Mr. Marchese:** Sayonara.

**Mr. Kormos:** Yeah. "So long, it's been good to know you." That's not a very impressive message to send to folks out there.

I used to believe—I think I still do—that the committee is the most important public venue in this place, in this chamber, in this whole process. I really believe that. I believed it in reality or I believed it in effect, in terms of its impact. But I believe that the committee is the most potent democratic tool there is in the whole parliamentary process. When you start time-allocating committees, when you start having—jeez, we started Bill 14 hearings on the paralegal regulation bill, amongst other things, and we got the treasurer of the law society with I think a 30-minute slot. The law society, as you know, is the critical operator in this whole regulation of paralegals, and they're given 30 minutes, for a bill that's long overdue and that everybody welcomes, for a bill that's going to dramatically transform how legal services are provided and who provides them, in the broadest sense, lawyers through to paralegals. There's the treasurer of the law society with 30 minutes.

I remember the subcommittee, the fight—because that was a real big deal: "Okay, we'll give the law society 30 minutes, but everybody else gets 20 and the individuals get 10." We're fighting over the committee hearings; we've got 110, 114 people who want to submit to the Bill 14 committee. The door has been closed on that, even though we've got lots of time to accommodate more, because there are more. I've talked to, for instance, paralegals—good, strong, bona fide practising paralegals who have a whole lot to tell us to help us make that legislation better, to make it work. I don't think the government's going to let us accommodate those people, because then they've got Bill 107 lined up, the gutting of the Ontario Human Rights Commission.



The impression one gets is that they don't want to have any committee hearings for that, even though it's an incredibly contentious bill, with some real polarization of views, and again capable people on both sides of the argument and everywhere in between—capable people. Lord knows I'm not afraid to sit and listen to the advocates for Bill 107. These are some very intelligent and thoughtful advocates for Bill 107. I disagree with them, but persuade me. But why is the government afraid to listen to the people who are concerned and upset and angry and frightened by Bill 107? My concern, once again, because in the context of Bill 107, we're dealing with people who deal with human rights abuses, who deal with people who are liminalized, who deal with people who are attacked—my concern is that the manner in which those hearings are going to be conducted is not going to make them feel any better about the system; it's going to make them feel more poorly about the system.

Why wasn't this bill, of all bills, one that was put to committee after first reading? This is the very sort of bill that should be, because it's not a partisan issue. It's not a matter of Liberal interest versus NDP interest versus Conservative interest. There's nothing partisan about the bill. Well, there's nothing from our perspective, but I've got to tell you, it seems, over the last few months, I've become a little cynical.

**Mrs. Carol Mitchell (Huron–Bruce):** Not you, Peter.

**Mr. Kormos:** Well, I have. It makes me wonder about what the motive is behind the bill.

**Hon. Mrs. Bountrogianni:** I'm so devious.

**Mr. Kormos:** The minister says sarcastically that she's so devious. I'm not saying you are. You didn't write the bill. You didn't sit down and pen it. I know that. I'm not blaming you. You're doing your job. You inherit the ministry, you've got this bill on the table, you're told to present it, and you present it. I understand that, but in view of the fact that this isn't a partisan issue, why wasn't there a little more candour and forthrightness at the briefing?

I looked for the background material on the Legislative Assembly website. All I got was the crummy press release.

**Hon. Mrs. Bountrogianni:** Was there a press release?

**Mr. Kormos:** See, this is the point I'm making. The minister wasn't even aware that there had been a press release issued with respect to it. I read the press release, and it says: "Government Proposes Easing of Requirements for Political Party Registration: Amendments to make it easier to register new parties in Ontario would create new opportunities for Ontarians to participate in the electoral process and strengthen democracy in the province." Hmm. No reference whatsoever to a ruling pending, a case pending, in the Superior Court here in the province of Ontario, plaintiff White. No reference.

Look, I was here when the Tories had to respond to the M. and N. decision. They were very clear about it. They said, "Here's the court ruling. Here's our response to it." The debate wasn't about whether or not we had to do it; the debate, to the extent that there was debate, was

about whether or not the bill properly responded to the ruling. It was done. It was dealt with in a very non-partisan way. As a matter of fact, on every one of the few occasions that there have been court-ordered, for instance, where courts have ruled sections of an act unconstitutional or an act unconstitutional—but for the film review board, because there, the issue there was that the government didn't respond to the ruling, in our submission—that's what the debate was about.

2030

If there's a problem because of Figueroa, then let's sit down and be honest about that and deal with that. But then I say to you, because you've read the ruling—

**Hon. Mrs. Bountrogianni:** No, I haven't.

**Mr. Kormos:** Okay. Fair enough. The minister hasn't read the ruling.

I'm going to read just that final statement for you. Iacobucci speaking for the majority: "But suffice it to say, the objectives advanced do not justify a threshold requirement of any sort...."

**Hon. Mrs. Bountrogianni:** That was first reading. Oh, come on.

**Mr. Kormos:** Minister, please. You'll have two minutes to respond.

**Hon. Mrs. Bountrogianni:** That is so tricky.

**Mr. Kormos:** Minister, my goodness. Last time anybody did that, it was Margaret Marland. She'd had a long supper. It was late into the evening. Good grief. I offered her the dictionary. Lord. Usher, please. Would you please give that to the minister? If she wants the dictionary, she's more than welcome to it.

I read to you once again Justice Iacobucci: "But suffice it to say, the objectives advanced do not justify a threshold requirement of any sort, let alone a 50-candidate threshold."

So then the question is this, and I invite you to use the two-minute response time to tell us: Where did you get the two-candidate, 1,000-signature-on-a-petition threshold? I don't know. Was it a wheel, like those things at the carnival with the three of spades and two of diamonds on it? What do they call it?

**Mrs. Mitchell:** Crown and anchors.

**Mr. Kormos:** Was it a crown and anchor wheel? Was it a bet? Or I just read the other day about a judge ordering litigants in the United States to resolve a dispute with scissors, rock, paper. It's true story. It was a major bit of civil litigation. These litigants couldn't decide on anything, even the most mundane and minor interim issues, so the judge just said, "Get out of here." There was an issue around some interim order or something to that effect that had no impact on the outcome, and the judge told them to resolve it by paper, rock, scissors. So is that how we got to the threshold that you've created here?

Clearly, the government thinks there has to be some threshold, otherwise it would be that anybody who wants to call themselves a political party could call themselves a political party. So why did they choose two candidates, neither of which has to get any votes, and/or 1,000 signatures on a petition? Is that an unreasonable question?



Does that not interest other members of the government? Is there no concern on the part of any of the members of this government that the democratic renewal agenda appears to have not only stalled but been derailed?

Then we have a two-page bill introduced under the guise of democratic renewal and in the context of the White case, where one plaintiff White is seeking to have portions of the provincial election act ruled unconstitutional pursuant to section 3, and undoubtedly relying upon Figueroa.

You see, you should read these judgments, because while Justice LeBel found it impossible to come out and outright endorse proportional representation, he makes it clear—and this is what Justice LeBel wrote:

“Perhaps the most significant example is the structure of our system of voting. Canada is one of only a few major democracies to retain the Westminster first-past-the-post (‘FPTP’) system. Many other democratic states use proportional representation or some form of mixed system. In comparison with those systems, FPTP creates a bias in favour of mainstream parties that represent the aggregated views of a broad section of society, and against smaller parties which provide a vehicle for dissent, advocate particular issues, or may be the precursors of mainstream political movements of the future.... Of the electoral systems used in democratic countries, FPTP is the least ‘fair’ or proportional, in that it distorts the translation of votes into seats in favour of the largest parties.”

**Mr. Tim Hudak (Erie–Lincoln):** Who said that?

**Mr. Kormos:** Justice LeBel, in the Figueroa decision. The justice is very careful to not endorse FPTP, because as Mr. Sterling observed and recognized earlier, the courts were clear to say, “No, it’s not our job to design electoral structures.” The courts are very clear in that regard.

**Mr. Hudak:** Why did he get into it?

**Mr. Kormos:** Well, because the argument was about fairness, Mr. Hudak. And why I got into it, even more importantly, is because you can’t take the threshold issue alone without talking about the broad picture, of course. What the government has done here, I say to you, is somehow just piecemeal. This is patchwork. This is this much of electoral reform.

**Mr. Hudak:** An ulterior motive?

**Mr. Kormos:** Look, I have concerns. Were this part of a complete package of democratic reform proposals that were being put, for instance, to an all-party committee, I’d say, “Okay, I understand.” I say to you, Mr. Hudak, am I concerned? Yeah. Am I suspicious? As I indicated just a few minutes ago, somehow, over the last few months, I seem to have gotten oh so cynical. I don’t know what’s happened. Perhaps I’ve just seen too much over too long a period of time. And also, the lack of candour at the briefing by the ministry staff, the lack of forthrightness: Come clean. Just tell us. What’s the secret? What is it that the ministry can’t tell us about this bill? It would be the height of irresponsibility for us to simply acquiesce to the government’s will—because

that’s somehow the suggestion. There’s a suggestion here, Mr. Hudak, that, “Oh, what’s the matter with you people in the opposition? Why aren’t you just passing this? We could be home watching Cagney and Lacey tonight—”

**Mr. Hudak:** Or the hockey game.

**Mr. Kormos:** Or hockey.

**Mr. Marchese:** Soccer.

**Mr. Kormos:** Or soccer, or what have you. I don’t buy that.

I also am concerned about the fact that the bill was introduced February 16. Here we are but five days before the House rises, pursuant to the standing order calendar, Mr. Hudak, and we’ve got the government trying to ram this bill through in the dark of the night, when nobody is paying attention. We’ve got expertise out there. We’ve got academics, we’ve got authors, we’ve got historians, we’ve got people with expertise in electoral reform and electoral procedure who’d be more than pleased to talk to us about this. I’m sure of it. Aren’t you? Yet we’re being told that, “Oh, no, let’s not bother with that. Let’s just go ahead, pass the bill and then carry on.”

**2040**

The other concern I have is the failure of the government to recognize the potential for mischief. There are no safeguards here. Because this isn’t just about somebody’s right to be a candidate. As we know, anybody can be a candidate. Take a look at this Legislature. Not only can anybody be a candidate but anybody can get themselves elected. But can anybody support—because what the bill is about is accessing public funds, and it seems to me that there should be a pretty high standard, a rigorous standard, an exhaustive standard of examination and review before you start opening up the taxpayers’ bank book.

Let’s take a look at the history here. Let’s take a look at this. Shall we talk about regard for taxpayers’ money? This is the government whose Minister of Energy was wining and dining and chowing down on \$80, \$90 steaks in Brussels, France—taxpayers’ money. Now, I’ve eaten my fair share of steak in my lifetime as well—and I can demonstrate it—but I paid for it.

**Mr. John Wilkinson (Perth–Middlesex):** On a point of order, Mr. Speaker: We have to be accurate. Brussels is actually in Belgium, not in France.

**The Deputy Speaker:** Thank you. That is not a point of order. The member for Niagara Centre?

**Mr. Kormos:** What some people will do to get on the record; it just boggles the mind. Has this guy never heard of the European Union? There are no borders anymore. What’s the matter with these people?

*Interjections.*

**The Deputy Speaker:** Order. Let’s just sit back, settle down and listen to the member from Niagara Centre, please.

**Mr. Kormos:** I feel like calling for a nurse to administer some novocaine, because obviously we’re getting close to a nerve. But we have the self-indulgent largesse of the Minister of Energy at an ultra-high-priced five-star



Michelin, Waterford crystal, no, Baccarat crystal—Waterford? Heck, they use that for disposable in restaurants like that—in Brussels, Belgium, or wherever. Then we've got the Minister of Economic Development—

*Interjection.*

**Mr. Kormos:** Well, taxpayers' money, electoral reform. This bill is all about lowering the threshold for who can get taxpayer-subsidized money. Then you've got the minister of—is he still the Minister of Economic Development and Trade? He doesn't have much of a ministry. Joe Cordiano, in case you don't recognize him by the name of his ministry, is using taxpayer money to buy his suits.

**Hon. Mrs. Bountrogianni:** On a point of order, Mr. Speaker: I believe that we should be talking about this bill and not about other people's business.

*Interjections.*

**The Deputy Speaker:** Order, the member for Durham. I do have to remind members from time to time to speak to the bill, and I'm sure they will, when I remind them. Thank you. The member for Niagara Centre.

**Mr. Kormos:** Speaker, you know that I'm a fan of yours. You know that if you send me that way, I go that way; if you send me that way, I go that way. So I'm going that way.

So here we are, we're talking about abuse of taxpayer funds, because that's the sort of mischief that this bill can create but that the government doesn't contemplate. I say, as an illustration, that you've got a guy like Joe Cordiano, who uses taxpayer money to buy suits through the tax credit system of political donation. I acknowledge that he's a well-dressed guy. I would be too, if the taxpayer were paying for my suits. I wouldn't hesitate for a minute. The minister comes in here in expensive silk and linens. That's impressive stuff: the buttons made of natural horn, the silk linings in the jackets, the \$300 ties—the sort of stuff that Harry Rosen only carries in the back room.

**Mr. Richard Patten (Ottawa Centre):** On a point of order, Mr. Speaker: I can appreciate the sense of humour that the member from Welland-Thorold has. However, I think he is perpetuating disparaging remarks on a member who is not even in the House.

**The Deputy Speaker:** We're not supposed to note that members are not here. But please, member from Niagara Centre, speak to the bill.

**Mr. Kormos:** Speaker, I'm finished with Cordiano and his taxpayer-subsidized suits. I won't mention him again until he's in the House. But when I do, the guy blows up. All I have to do is heckle him: "Hey, Joe, nice suit," and he hits the ceiling. Midway through an answer to somebody's question in question period, Cordiano just—boom—goes ballistic.

**Ms. Judy Marsales (Hamilton West):** On a point of order, Mr. Speaker—

**Mr. Kormos:** Have you got a point of order, Ms. Marsales? Go ahead.

**Ms. Marsales:** With all due respect, Mr. Speaker, I think he is disparaging the good name of the Minister of

Economic Development, and I don't think that's appropriate to these proceedings.

**The Deputy Speaker:** I continue to remind members that the standing orders say that we should speak to the bill that's on the floor. I ask the member for Niagara Centre, and anyone else who does it in the future, speak to the bill, please.

**Mr. Kormos:** Thank you, Speaker. And you've asked very nicely. I think that's just a reflection of the type of character you have, in contrast to, let's say—what's Mr. Takhar's ministry?

**Mr. Hudak:** Small business.

**Mr. Kormos:** Small business? Entirely appropriate, in view of the fact that he appears to be running one.

So I take us back to Bill 62.

*Interjections.*

**Mr. Kormos:** See, it's hard, Speaker. I've got people distracting me left and right.

**The Deputy Speaker:** It is. It's very difficult for me to know whether the member is speaking to the bill or not when everybody else is talking at the same time. Let's all be reminded about the decorum and the necessity to speak to the issue that's before us.

*Interjection.*

**Mr. Kormos:** Mr. Leal, I own the Park Avenue; I own it. That was when I decided the Corvette no longer fit properly. I need something that's more comfort-oriented than speed-oriented.

*Interjections.*

**The Deputy Speaker:** The member for Peterborough.

**Mr. Kormos:** I'm feeling bad about the Corvette convertible; that's what I'm feeling bad about.

So I get distracted all the time. You have members here who have no regard for decorum. Lord knows what they've been into. It's a quarter to 9 and people are getting raucous.

*Interjections.*

**Mr. Kormos:** People are getting raucous. Mr. Sterling will tell you that it was the introduction of television to the chamber that, for at least a brief period, ended evening sittings. While the evening sittings have been restored, the dinner habits appear not to have changed substantially. That's why we have these outbursts. That's why we have these irrelevant points of order. That's why we have people rising on points of order: because they aren't speak to the bill, and they figure they're going to distribute a householder: "Local member raises point of order."

**Mr. Marchese:** "Interjection."

**Mr. Kormos:** Yes: "'Local Member: Interjection.'

"I just want my folks to know that I've been working on your behalf at Queen's Park. This is my Hansard record: 'Interjection.'" Or a frivolous point of order, a silly point of order, a point of order without substance.

The bill is only two pages long. Folks, take a couple of minutes and read the bill. If you don't want to read the whole bill, read the Coles Notes, the explanatory section, and then ask yourself, what is it designed to achieve and what is it in response to, and what is happening with



respect to this bill when the government can't even come clean about what has provoked or prompted the drafting and introduction of the bill, when it won't be straight with members at briefing sessions with ministry staff, when the bill doesn't appear to be responsive to the Supreme Court of Canada's direction, which says no threshold. It creates a threshold, but it's a threshold that is entirely arbitrary. It's a threshold that has the potential to create great mischief and to cost the taxpayer a great deal of money, and it's a threshold that you certainly weren't prepared to accept back in 2003 when there were only seven New Democrats.

2050

You weren't so magnanimous back then. You didn't believe in parties then. You didn't believe in democratic renewal then. My impression is that you believe in what you call democratic renewal when it is convenient for you and when it has the potential or capacity to enhance your electoral success at a point in time when you guys are dropping in the polls like a rock, when McGuinty's poll support is lower than even the party's. and when you've got to distract attention.

Yeah, you guys wanted out of here two weeks ago. I know you did. You wanted to wrap things up fast because you knew you were going to have to make the "Go big, go-nuke all the way" announcement and you would have far sooner done it when the House wasn't sitting. And you knew you were going to have to break your promise—after promise after promise—to shut down coal-generated electricity stations, but you were hoping you were going to be able to do it when the House wasn't sitting. That's why you're trying to force hearings on Bill 107, the Ontario Human Rights Commission gutting, in the dog days of summer, so that people won't be there, so that the press won't be there. And you've got the nerve to talk about democratic renewal.

Where's that briefing note from Elliott Anderson? You've got the outrageous audacity, after the Liberal promise, "We will bring a team approach to governing. We will respect and draw on the talents and expertise of every elected representative, including opposition members." That was the Liberal promise. How have you drawn on those? You've used time-allocation motions to shut down debate in the House, in the chamber and in committee. You use your majority on committee to have 20-minute slots for notable presentations and 10-minute slots for people you deem not even worthy of giving the time of day. Ha.

Liberal promise: "We will require all cabinet ministers to attend at least two thirds of question periods. Any cabinet minister who fails to meet that standard will be fined \$500 for each additional question period missed." But, oh, who is exempted? The most important cabinet minister of all, one would think, the Premier himself. He is exempt from the penalty clause.

**Mr. Marchese:** He keeps the records.

**Mr. Kormos:** Yeah, the records are being kept on the trust system, and that's with Liberals? Gomery was all about the Liberal trust system.

Liberal promise: "We will require public hearings for all major legislation." Bull feathers. Bullshit. Outrageous. You're the ones who have abbreviated public hearings. You're the ones who have shut the door on the Bill 14 public hearings so that people who want to make contributions to those hearings are being told, "No, there's no room for you in Liberal public hearings," notwithstanding they're not being held until September. And you're the ones who are trying to slide Bill 107 through, the demolition, the desecration, the complete gutting and dismantling of the Ontario Human Rights Commission. You're the ones who want to hide those public hearings and speed them up through the darkest days of summer.

**The Deputy Speaker:** I've heard the member refer to a number of bills, but I haven't recently heard him refer to Bill 62.

**Mr. Kormos:** Thank you kindly, Speaker.

And what are we going to get with respect to Bill 62? We're going to get more of the same. Bill 62 is purportedly about democratic reform, so let's talk about democratic reform in this government. Here's one. This one's a gem. This one's a keeper. Get your pens and pencils out and a pad of paper and write this one down. Liberal promise: "We will"—aw, this is—

**Mr. Marchese:** Well, say it anyway.

**Mr. Kormos:** Liberal promise: "We will give more independence and power to legislative committees, including the right to initiate legislation."

Do you remember Bill 138? Huh? The toying with Zimmer and Broten, "Go have Christmas dinner at the kids' table," "Go outside and play because the adults are busy talking about serious-stuff," "Go draft yourselves a bill, kiddies"—Bill 138 and Broten and Zimmer mud wrestling to try to get some press on it. It was a shameful sight—mud wrestling—and where's Bill 138? It's off in legislative orbit; it's in Mr. Hawking's black hole. It will never be seen again. It will never see the light of day.

"We will give more independence and power to legislative committees, including the right to initiate legislation." You don't even have the right to vote the way you want on legislative committees. You get whipped—you guys must have to buy new suit jackets once a week, the scourges you undergo. Well, it's incredible. The crack of the whip. "We will give more independence and power to legislative committees, including the right to initiate legislation." Once again, bullshit. Ha, Bill 138.

I say to you, Speaker, that folks should be concerned about Bill 62, that folks should be concerned about the inherent dishonesty of a proposal that operates under the guise of democratic renewal, yet appears to be, at the end of the day, nothing more than self-serving. This government, these Liberals, haven't the courage to take clear positions around electoral reform when it comes to, let's say, proportional representation. Oh, no, they pass that off to a committee, a citizens' jury, a citizens' committee. But now, all of a sudden, Bill 62 is going to be decided by the majority power here in the House, huh? Think about it. Why isn't Bill 62 and that proposition being put to the citizens' committee, the citizens' jury? You guys want it both ways.



But the nice thing about being a Liberal is you don't always have to be a Liberal. You can change your policies, you can change your principles, like most people change their socks and their underwear, on a daily basis, on an hourly basis. Citizens' jury: fine for issues like proportional representation, but not good enough to deal with what the standard ought to be for a recognized political party. There's something fishy about that, there's something rotten about that, there's something, quite frankly, that stinks about that. You want to do it piecemeal. I say do it one way or another. Go big or go home. If you're going to do democratic reform, then put the issues to your citizens' jury and let's hear what they have to say. Or ram the stuff through and break yet another election promise—then do it. Stop sucking and blowing, for Pete's sake. The public's tired of it, and, I tell you, opposition members revel in it, because we just love the opportunity to expose the broken promises, we just love the opportunities to watch you guys get hoisted on your own petards. We just love it, as you scramble to break broken promises.

This has nothing to do with democratic reform; it's got something very much to do with Liberal self-interest.

2100

**The Deputy Speaker:** Questions and comments?

**Mr. Bill Mauro (Thunder Bay–Atikokan):** It's my pleasure to rise and speak on this very significant issue. I remember a time not that long ago when the Premier referred to the member from Trinity–Spadina as perhaps the finest thespian in the place, but I think that perhaps this evening the member from Niagara Centre—

**Mr. Wilkinson:** Left of centre.

**Mr. Mauro:** —the member from Niagara left of centre has put forth a performance that rivals even those of the member from Trinity–Spadina. I think the jury is still out and the crown has yet to be officially delivered, but it was enjoyable—perhaps a bit prone to hyperbole, but nevertheless it was enjoyable and it helped to pass the time.

I'm a bit surprised this evening by how dismissive the members opposite have been about what is obviously a very significant issue to most Ontarians, I would expect, if you were to talk to them. Having had an opportunity to spend some time with the member from Lanark–Carleton on the public accounts committee and having had an opportunity to get to know him a little bit, I'm a bit surprised by his indignation, in terms of his remarks, with this legislation. As a member from northern Ontario who saw, under that representation during eight or nine years of that government, the northern riding contingent and complement go from 15 down to 11, this is a very significant issue for me as a northern MPP. The loss of four ridings in northern Ontario was very significant, and I'm very happy that our government has stepped up to the plate and, under the new legislation, enshrined in law that we are going to maintain the 11 and not go any lower than we already have. I'm sure that anybody who represents a large northern riding can understand the significance of it. If the NDP wanted to talk to their

member from Timmins–James Bay and if the Conservatives wanted to talk to their member from Parry Sound–Muskoka, I'm sure they would hear similar complaints.

They did, though, indirectly lead to some democratic renewal in this province; that is, during their watch I think that a lot of the 38 first-time MPPs in this province decided they were going to run for this Legislature, based on their previous experience as municipal councillors under eight or nine years of Tory Conservative government and—

**The Deputy Speaker:** Thank you. Questions and comments?

**Mr. Sterling:** I think we should draw ourselves back to Bill 62. What it's trying to do is meet the constitutional challenge, which first cropped up in June 2003 and was ignored by the government for some two to two-and-a-half years. Then along came Jen Elizabeth White, who brought this issue to the fore to the Superior Court of Justice, and she has put it right in their corner. They can no longer ignore the unconstitutionality of section 10(2) of our election act dealing with the registration of parties. That's why the government is acting on this particular issue.

Our principal objection to this is the potential, as the member from Welland put it, for mischief. My belief is that you don't reduce the requirements with regard to registration of a party, which allows people who are then controlling the party access to taxpayers' money—you don't do that without looking at those repercussions. Should we have new legislation around collecting money for political parties? How much should the taxpayer pay? More importantly, what should be the limitations on how that money is spent?

Up to now, because the requirements for registration of political parties has been very high, all the political parties have spent that money to get their members and their party elected. That's because that was their principal purpose. This legislation introduces the possibility of another motive by small special-interest people, who now can register as political parties and have access to taxpayers' money for a lot of perhaps mischievous purposes.

**Mr. Marchese:** I want to congratulate the member from Niagara Centre for a wonderful speech. Speeches he gives in this place, people want to listen to. He is one of the best, if not the best, speaker in this place, and that's why Liberals often want to engage him. I think some of them are just a bit envious about that ability he has to expose Liberal politics, which has so much fluff in it. On this side of the House, we enjoy exfoliating that Liberal onion as often as we can.

Why this bill, of all bills? I'm racking my head thinking, why is it before us? It appears like it is a throw-in; it's like a filler; it's like, "We've got nothing else to do, so we'll just throw it in and call it part of our democratic reform agenda." Of all the things to introduce as part of a democratic reform. The member from Niagara Centre said, "Why not keep the promise you made?" one of so many you have not kept and one that you could keep. The one that was articulated for you was



the Liberal promise that says, "We will give more independence and power to legislative committees, including the right to initiate legislation." That would be an important promise to keep, because we all know—those who have been in government and are now in opposition; those who are now in government and were in opposition—the limitations of opposition parties to influence opinion in those committees. We all know that government members are powerless to influence the opinions of that committee when the whip, if instructed, will not take no for an answer, will make sure that you are forced to comply with whatever you've been told to do. Why not keep the most important promise, and that is to reform those committees? That's what I would start with.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** The score is 3-2, by the way, for Edmonton at the end of the first period.

I did, in fact, have two monitors going, and I was watching the member for Niagara Centre. I can't say that I agreed with everything he said. One thing he forgot to mention to members of the House—if only he had more time to do so, he would have—and that is that the rules we are working under now had an origin under his own NDP government. I know inside that government he fought against the imposition of rules which were called at that time very draconian. Those rules were actually made even more draconian, if there's such an English statement to be made, under the Conservatives. As a result, I think he would agree with me, particularly on the limitations on the time of speeches, that it has compelled those who disagree with the government to engage in activities they might not normally engage in and to spend time on bills they might not spend a lot of time on, because there is a way of delaying government.

Now, I heard him mention that perhaps this government had invoked time allocation. I must say, that has been used very sparingly. It's usually after some extensive consultation with the opposition to determine whether or not there is an opportunity for bills to pass in a timely fashion, and it's a last resort. With this government, I assure you, it's a last resort. We try to accommodate the opposition so very often as well in terms of committee time and committee work and committee travel. We've just tried to be so accommodating to the opposition, all members of the House, that I'm astounded that the member would have delivered such a speech condemning the government.

**The Deputy Speaker:** Member for Niagara Centre, you have two minutes to respond.

**Mr. Kormos:** I'm so pleased that the House leader found an opportunity to come back in here, because I want to tell him—and he knows this—time allocation is an addiction. You see, it's like crack cocaine: You think you can smoke it once and walk away from it. You think you can smoke it twice and walk away. But, you know, you smoke it twice, maybe three times, and before you know it, you're hooked. We watched it with the last government in the context of seeing the government's zeal for bills to get passed with the least possible amount

of public exposure. We see the government, like a crack junkie, sweating, thinking about nothing else but the spoon and—what is it?—the candle and the pipe, or whatever, just fantasizing, until inevitably, like all addictions, it gets the better of you.

We're ready to save you from that addiction. We're ready to take you into a 12-step program right here and now. But I have to tell you, yes, I've watched a succession of governments and I've cautioned, from time to time, my own colleagues about being careful what they wish for, because as was noted earlier I think by Mr. Marchese, people have a habit of rotating here in terms of where they sit. And what seems delightful when you're in government all of a sudden becomes a little less attractive when you're in opposition, doesn't it Mr. O'Toole?

2110

**Mr. O'Toole:** Ain't that a fact.

**Mr. Kormos:** It's like voting to create defined contribution pension plans, which seems like a wonderful idea when you're in government, to the point where all members enthusiastically and thoughtfully support defined contribution benefit programs, but then a few years later, all of a sudden they're not as attractive as they seemed to be.

**The Deputy Speaker:** Further debate?

**Mr. Garfield Dunlop (Simcoe North):** I am pleased to rise this evening and take part in Bill 62, An Act to amend the Election Finances Act and the Legislative Assembly Act. I would like to begin by first of all reading the explanatory note, because that's about all there is to the bill. You've read the whole bill if you've read the explanatory note.

"Currently, the Election Finances Act provides that a political party may apply to the Chief Election Officer to be registered if it has candidates in at least 50% of electoral districts in a general election or, alternatively, provides with its application the signatures of 10,000 voters. These requirements are modified so that a party may apply to be registered if it has candidates in at least two electoral districts in a general election (or in two or more concurrent by-elections) or provides the signatures of 1,000 voters. (Subsection 1(1) of bill; subsection 10(2) of Election Finances Act)

"The Act currently provides that one of the reasons for which the Chief Election Officer may deregister a party is its failure to have any candidates at a general election. This element is rewritten so that the Chief Election Officer is required to deregister the party if it does not have candidates in at least two electoral districts in a general election. (Subsection 1(4) of bill; subsection 12(2.1) of Election Finances Act)

"The list of matters to be included in a party's application for registration is expanded to include a statement, attested to by the leader of the party, that participating in public affairs by endorsing candidates and supporting their election is a fundamental purpose of the party. Each registered party is required to file a similar statement annually. The Chief Election Officer may deregister a party that fails, in his or her opinion, to participate in



public affairs in accordance with the statement. (Subsections 1(2), (3) and (4) of bill; clause 10(3)(k), subsection 10(6.1) and subsection 12(2.1) of Election Finances Act)

"The electoral district of Thunder Bay-Superior North is incorrectly referred to as 'Thunder Bay-Nipigon' in subsection 38(3.3) of the Election Finances Act and in subsection 67(6) of the Legislative Assembly Act. The bill corrects both references."

Tonight we're here talking about, I guess we would call it, the democratic reform agenda of the McGuinty government. There are a lot of things that occur in the day-to-day operation of this House that actually would discourage a lot of people from ever thinking that there was any kind of democratic reform or democratic renewal. I want to say to begin with that a lot of my colleagues in the House tonight are wondering just what the importance of this legislation is and why we even had to bring it forward at this point.

Speaking about democratic reform, it was interesting to note that the Minister of Natural Resources with responsibility for aboriginal affairs, at the very beginning of this evening, tried to pull off a unanimous consent motion calling for second and third reading approval. This happened right here in this House tonight. We are talking about a bill that's under the minister responsible for democratic renewal, and here another minister tries to pull off unanimous consent on a bill like that. Is that very democratic? It doesn't make a lot of sense to me that the minister would try to pull that off.

Then I got thinking after: Maybe he wanted to get over to Caledonia, because we've been after members of the Liberal government here to find out if anybody was actually going to visit the community of Caledonia. Maybe the member for Erie-Lincoln can tell me, but I think it's 108 days now, since February 28—

**Mr. Hudak:** At midnight it will be 108 days.

**Mr. Dunlop:** Yes, 108 days at midnight that we've had blockades put up. We've had millions and millions of dollars spent on—well, I'm getting back to Bill 62, because it ties into what the minister is trying to pull off.

**Mr. Hudak:** Fifteen police officers injured.

**Mr. Dunlop:** Yes, and 15 police officers injured. We can go on and on and on about that. But I was wondering if that's the reason the minister tried to pull off that unanimous consent motion on a night when we're talking about democratic renewal in this House. It seems strange to me that someone would want to do that.

Going back to that, there are enough people in Caledonia that they could form a number of parties. If this bill got unanimous consent right away, we could probably go over there and start signing up all kinds of political parties right on the blockades, where members of the community are discouraged about what's actually happening. As a result of that, this has become a high topic in the House.

I found what the member from Niagara Centre said very interesting, and that is that the government really wanted out of this House two weeks ago because they

knew a lot of issues were coming down. That isn't very democratic either, to think that the government members would want to leave this House at a time when all this important debate was to take place. They'd certainly want to hear all the comments about how the government has really demolished their election promises on coal-fired generation, their promises on nuclear reactors.

*Interjection.*

**Mr. Dunlop:** I hear some heckling in the room here, and it's about broken promises, isn't it? It's really about broken promises.

If I go back in time, what I'm trying to think of here tonight is, how important is the democratic renewal file in terms of all the other promises that have been broken in this House? I really think of the hydro file. If you go back and look at your election platform—I know the member from Peterborough is looking at me with a lot of interest because he's really interested in what I'm going to say on this—I remember, "We will freeze hydro rates until 2006."

**Mr. Hudak:** Did they keep that promise?

**Mr. Dunlop:** They broke that the first week. They broke that before Christmas 2003. And I remember "We will eliminate all coal-fired generation by 2007," which is now only six months away.

**Mr. Hudak:** Did they keep that one?

**Mr. Dunlop:** Well, we know that's gone. In fact, now we're referring to the Liberals as the cavemen of this Legislature. But it's about broken promises.

Where are we going with the democratic renewal file? What exactly is happening here? What is the government really trying to pull off? Are they trying to do democratic reform or not? I can tell you, when we have question period in this House, the chance of getting an answer to any of the opposition questions is so far removed and so far remote now that it has become just an embarrassment to be in this House and listen to some of the answers. At almost at any given time, we could call for a late show and be here every Tuesday and Thursday night with the ministers because of the non-answers. I have never seen it this pathetic, ever, in any Parliament, where the government just refuses to answer. They look right at you and give you a complete opposite answer. I wonder, why does the government do that? Why does the government not answer direct questions?

I asked the Premier the other day, "Why has the Premier of the province of Ontario not visited the people in the community of Caledonia? When are you going to visit?" He goes off with, "Well, you know, it's sunny in Edmonton," or something like that. That's the answer he gives us.

**Mr. Hudak:** He's afraid, because David Peterson's disappeared.

2120

**Mr. Dunlop:** Well, yes. Everybody's disappearing in Caledonia except our poor OPP officers, who are left on the line to defend our province. They're the meat in the sandwich. The police have taken the brunt of all the pressure at Caledonia. I find it very disappointing that



none of the members here have visited that community and shown support for the people in that community.

**Hon. Mr. Ramsay:** Minister Cordiano has.

**Mr. Dunlop:** I heard someone say Mr. Cordiano. I don't think he visited Caledonia, though. He was over near Brant, I believe, but I don't think he was in the community of Caledonia.

**Mr. Hudak:** He was looking for Peterson.

**Mr. Dunlop:** I guess maybe he was looking for Mr. Peterson.

I guess I'm thinking of some of the small things that have happened. We think we're going to have a more democratic system in the province of Ontario. As far as I'm concerned, it's becoming further removed all the time when we don't get answers from the cabinet ministers in question period. Again, as a lot of people say now, they don't call it answer period for a reason: because you never get an answer.

I look for further debate. I know that a lot of people want to debate this very important bill. There are many people who would like to get up and speak to this bill—

**Mr. Kormos:** In due course.

**Mr. Dunlop:**—in due course. There are probably three or four people wanting to make comments. With that, I'm bringing my comments to an end, unless people would like to hear the remaining 10 minutes. Mr. Speaker, if we can get a few questions and comments, I think we can probably adjourn this House tonight. With that, I'll bring my comments to an end. I'm looking forward to a lot of interesting debate during the balance of time on this bill.

**The Deputy Speaker:** Thank you for your help, but that's something I'll determine. Questions and comments?

**Mr. Kormos:** I'm overwhelmed by the sacrifice of the member for Simcoe North, who made his comments 10 minutes shorter than they could have been. He sacrificed those 10 minutes so there could be a connection between the questions and comments and his commentary on the bill.

**Mr. Hudak:** Very selfless of him.

**Mr. Kormos:** It was indeed, as Mr. Hudak says, selfless of Mr. Dunlop. It's moving, because very rarely in this House do we see people engage in such a non-self-serving manner.

Look, here we are. This is the first day of second reading debate. The government still hasn't answered the most fundamental questions around the bill, even though they've had plenty of opportunity to do it. The questions have been asked by Mr. Sterling, by myself, by Mr. Dunlop, and other Conservative members are going to be eager to speak to this bill. My colleagues in the NDP certainly will be.

I encourage the government to consider sending this bill to committee, seeking unanimous consent to get this bill out of second reading and send it to committee, where it belongs, for more thorough consideration, and indeed reconsideration. This isn't about democratic reform. It could be about an attempt to respond to either

Figueroa or in fact the White case that Mr. Sterling referred to that the government sought an adjournment for. But if it is, then it's a botched effort in that regard, because the author of the bill doesn't seem to understand what the ruling was in Figueroa. It would be far more productive to do it right the first time than screw it up again and have to come back and do it Lord knows how many times. If you're going to do it, do it right.

**Hon. Mrs. Bountrogianni:** I thank all of the members for their comments. It was a very interesting debate. We will have, I believe, even another session of fascinating debate on this great bill, as well as committee debate and committee work. I'm really looking forward to that as well. The member opposite from Niagara is right: We need to get this right, and I look forward to more input to get this even better than it is now.

I do want to clarify one thing about the present system. Even now, there are parties that don't run candidates even though they're supposed to, that collect tax receipts year after year, that sort of use the system. But unless someone complains about it or brings it to the attention of the Chief Election Officer, they're still there, collecting tax receipts year after year, never running candidates.

With this bill, there is the accountability measure that unless the party is serious, unless the party runs at least two candidates in an election, unless the party files every year a statement of its goals and a background of what it's done in the year to fulfill its goals as a political party, then the CEO is instructed to deregister that party automatically. So that is an added measure of accountability.

Having said that, I look forward to more debate. I look forward to some constructive criticism on how this bill can be improved so that we can in fact enhance the democracy of the system.

Ontario is a diverse community. These are three wonderful political parties, and I mean that when I say that. They've got a great tradition in this great province of ours. But if there are other viewpoints out there that can be represented by a political party, that can be assisted through tax receipts etc., then we should at least look at that seriously, because that is truly transparent democracy.

With that, I again thank all of my colleagues across the floor for their input, and I really look forward to the next evening of debate on this bill.

**Mr. O'Toole:** It's a pleasure to see the minister here this late in the evening and after such informed debate. I think that's respectful of the process.

We did hear from the senior member tonight, the member from Lanark—Carleton, who I think gave us some very wise advice, but also, more importantly, just recently from the member from Niagara Centre, who also brings a certain amount of experience, as well as opinion, to the debate. They were basically talking about the trimming down and, in the case of the member from Niagara Centre, about some of the court decisions: Figueroa and Iacobucci. His main argument, as I listened to it, was about the prudence of taxpayers' dollars.



But the member who just spoke, whom I'm responding to, is the member from Simcoe North. I commend him, first, for being here tonight to listen and participate in this particular debate. I think he's right. When you look at having simply two candidates, it's a pretty low threshold, and 1,000 members is a pretty low threshold. This is where public hearings and debate should come in. Some would say that some interest group, some splinter group, could take over a process and utilize, as the member from Niagara Centre said, the taxpayer advantage in this bill. There were three eminent speeches given here tonight. The minister in charge of this didn't use all of her lead time. Norm Sterling, our member, did, and so did the member from the NDP.

There's a lot more to be said on this bill than has been said by the government. I think they're being forced into this under the guise of democratic renewal. From what I've seen recently, there's anything but democratic renewal taking place here. They're time-allocating bills. They're getting away with a lot of liberties, I would say, and the member from Simcoe North spoke to that in some of his remarks. I certainly hope that there will be public hearings on this small bill.

**Mr. Dave Levac (Brant):** I look forward to continuing the discussion on this bill.

Bill 62 tells us that we're heading in a direction of a new era. I don't think anyone in this room has denied that democracy is a fluid issue and that we're continuing to press the envelope to try to move us forward in how democracy is handled in this place, in the province. With our ability to work collectively together, the people of Ontario have an opportunity to hear how people are responding to these offers. If these offers are made in good faith to try to improve democracy, to change democracy, to have democracy be as fluid as it is, then I think the people of Ontario will be quite satisfied that the people of this House have done the right thing. If, on the other hand, the debate is about how bad another group is—one party, one organization, one citizen's assembly—because of cynicism, then they'll hear that message as well.

I'm going to suggest to you very respectfully that you listen very carefully to the people who are debating against the bill and for what reasons they're doing so. That's a fair appraisal. I would be more than willing to listen to those criticisms, but as you've heard in some of the debate that's been going on, it's rambling about all of the things that the Liberals have done wrong. They're picking on issues that are not talking about this bill in terms of the evolution of democracy. It's really

unfortunate that the members on the other side have spent all the time in their debate not talking about Bill 62, which is trying to continue the fluid growth of democracy.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr. Levac:** I see I've struck a nerve here. They don't like the idea that the disguise is being taken off them as to, "It's the government, so it must be bad. Now that we've got their attention, I would challenge them to start talking about what Bill 62 is, and that is the improvement of democracy."

**The Deputy Speaker:** The member for Simcoe North, you have two minutes to respond.

**Mr. Dunlop:** I'd like to thank the members from Brant, Durham and Niagara Centre and the Minister of Intergovernmental Affairs and the minister responsible for democratic renewal for their comments.

One of the things that bothers me about the term "democratic renewal" is that, by making a lot of changes to the system, we may in fact ruin a system that has been one of the most stable systems in the free world. We in the province of Ontario and in our country have what I consider to be a great parliamentary system. As the member from Niagara Centre said, there's a way of moving people out of these chairs, and that's the elections. They've been very fair since 1867 in our country and of course in our province as well.

There are lots of problems with our parliamentary system. For example, I'm not that fond at times of how question period works. I sometimes think we spend too much time on debate. But I can tell you one thing: Overall, the system in our country has been stable and has served the people of Ontario extremely well. This is a place where people from throughout the world want to come. They want to live in our country. They want to live in the province of Ontario and in Canada. I think it's because we've had a good stable system. I don't want to tinker with it too much, I can tell you that right now. I say take very short steps when we're changing our democratic system, where we're making major changes. I would be happy with just a four-year term at this point, and then the next time around, in the next Parliament, maybe make some other changes. We do have a good stable system, and let's not tinker with it too much.

Anyhow, I look forward to further debate.

**The Deputy Speaker:** It being 9:30 of the clock, this House is adjourned until Thursday, June 15, at 10 of the clock in the morning.

*The House adjourned at 2132.*

## CONTENTS

Wednesday 14 June 2006

### SECOND READINGS

#### Election Statute Law

##### Amendment Act, 2006,

Bill 62, *Mrs. Bountrogianni*

Mrs. Bountrogianni ..... 4643, 4645,  
4662

Mr. Marchese .....4644, 4650, 4660

Mr. Lalonde ..... 4645

Mr. Sterling .....4645, 4646, 4651,  
4659

Mr. Kormos .....4645, 4651, 4652,  
4662

Mr. Rinaldi ..... 4651

Mr. O'Toole ..... 4651, 4663

Mr. Mauro ..... 4659

Mr. Bradley ..... 4660

Mr. Dunlop ..... 4660, 4663

Mr. Levac ..... 4663

Debate deemed adjourned ..... 4664

## TABLE DES MATIÈRES

Mercredi 14 juin 2006

### DEUXIÈME LECTURE

#### Loi de 2006 modifiant des lois

##### en ce qui concerne les élections,

projet de loi 62, *M<sup>me</sup> Bountrogianni*

M<sup>me</sup> Bountrogianni ..... 4643

Débat présumé ajourné ..... 4664





No. 91

N° 91

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 15 June 2006**

**Jeudi 15 juin 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 15 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 15 juin 2006

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### HEALTH CARE FUNDING

**Mrs. Christine Elliott (Whitby–Ajax):** I wish to move the following resolution:

That, in the opinion of this House, the government of Ontario should immediately increase health care funding in Durham region to the provincial average, and, thereafter, develop and implement health care funding in Durham region based upon population growth.

**The Deputy Speaker (Mr. Bruce Crozier):** Mrs. Elliott has moved private member's notice of motion number 19. Pursuant to standing order 96, Mrs. Elliott, you have up to 10 minutes.

**Mrs. Elliott:** The single most important issue that arose during the course of the most recent by-election in Whitby–Ajax, which resulted in my election as the member on March 30, was health care. That was the issue that I heard about time and again as I went door to door speaking to voters to find out the issues that were most important to them.

Specifically, the view that most of the voters in Whitby–Ajax held to was that Durham region generally was not receiving its fair share of health care funding. The evidence has certainly borne out this perception, which I will go into in greater detail in a moment. But I did promise the voters of Whitby–Ajax that if they saw fit to elect me as their member to the provincial Legislature, I would continue to press the government to allow Durham region to receive its fair share of health care funding.

What I would propose with this resolution is that the government restore health care funding in Durham region to at least the provincial level, and then implement a funding model that would recognize the explosive growth in Durham region. I intend to honour this promise, starting with today's resolution.

I would also like to recognize the excellent work done by the GTA/905 Healthcare Alliance. As you know, the alliance has spent considerable time and effort in examining health care spending, concentrating on the four regional municipalities that are in the GTA: Peel, Halton, York and Durham. The rate of population growth in these

four regions is more than double the rate of growth for the province of Ontario as a whole. This sustained high rate of growth, combined with a population that is aging faster than the provincial average, raises a significant concern about the ability of our local hospitals to provide access and deliver appropriate care to the residents of our community.

In saying this, I cannot stress enough the contribution made by the physicians and health care professionals in our community and the hospitals in Durham region: the Lakeridge Health Corp. and the Rouge Valley Health System, as well as the Whitby Mental Health Centre. They've shown incredible diligence and devotion in the face of increasingly difficult working conditions. They've been able to manage with very few resources and certainly are to be commended for the excellent work they've done, but this is not sustainable over time as the population growth continues apace. The issue needs to be dealt with by this government, not just as a matter of fairness, but also to fulfill its own mandate. If this government is committed to the success of its Places to Grow policy and strategy, it needs to implement a health care strategy for high-growth regions.

Let's take a look at the facts. The provincial average for per capita hospital funding is \$781 while the Durham region per capita hospital funding number is only \$502, which is a difference of \$279 per capita per year. In terms of the provincial average for total health care funding compared to the Durham region per capita total health care funding, there is an even larger gap. And if that weren't bad enough, the gap is continuing to widen as the population growth continues, so the gap is going to get bigger and bigger over time if something isn't done about this. This fact seems to be virtually ignored by the government in allocating provincial funding for hospitals. I should also note that the alliance regions are now paying \$573 million per year in health care premiums, yet there is no evidence that these amounts are being proportionately reinvested.

These are the raw numbers, but let's consider the ramifications of this chronic underfunding. First of all, the hospitals in Durham region are operating at maximum capacity. Capacity currently stands at 94%, while the provincial average is 77%. This very high occupancy rate, combined with an underfunding of hospital and health care services, will result in several ramifications:

Number one, there is an even greater challenge to our local hospitals to respond to local outbreaks of disease or other emergency situations. This is particularly important in light of present events and events of the recent past,



with a number of suspects being arrested for alleged terrorist activities. This is something that we need to be increasingly mindful of and we need to make sure that our hospitals and health care facilities have the resources they need in order to respond quickly to emergencies of this nature.

The second point is that residents need to wait longer for hospital and other health care services. This government is taking credit for reducing wait times for a number of health care procedures, including cancer surgery, hip and knee replacements and angioplasties, among others, but the fact remains that the wait times in Durham region for all of these procedures are significantly higher than in most of the rest of Ontario.

Number three, Durham region residents, like the residents of the other GTA 905 communities, are the least able to access health care in their own communities. As a result, it means that the residents of our communities need to travel to other communities, thereby placing a strain on the resources of those communities. Again, one of the principal strategies of the Places to Grow formula is the need for people to have local access to quality health care services, and that's certainly not happening in Durham region.

The growth in Durham region and the health of its residents demand a solution. I would urge this government to be responsible and fair to the residents of Durham region. Address the current situation by increasing the level of health care funding in our region to the provincial average and then develop and implement a funding formula that recognizes growth and provides growth funding for hospitals in high-growth areas. Basic fairness requires nothing less.

That would conclude my portion, Mr. Speaker, but I do have a statement that one of my fellow members, the member for Durham, Mr. John O'Toole, has asked me to read, which, with your permission, I will do.

1010

Mr. O'Toole has provided the following statement:

"I would like to offer my full support to ballot item number 43 and the motion introduced by the member for Whitby-Ajax. Unfortunately, Durham region is a victim of a growing funding gap between hospitals in the GTA-905 area and the rest of Ontario. The GTA/905 Health-care Alliance notes that the gap was \$164 per capita below the provincial average in 2005-06. The gap is expected to widen to \$191 below the Ontario average by 2008-09—an increase of 15%.

"The GTA-905 area grows by about 100,000 new residents every year. It is home to more than three million Ontarians. We must ensure that each one of these residents has access to quality care close to home. That is why I would urge the members to support the resolution before us today."

Thank you.

**The Deputy Speaker:** Further debate?

**Mr. Tony Ruprecht (Davenport):** I'm looking expectantly at the NDP, but it falls to us to continue this resolution of Mrs. Elliott.

First of all, let's look at the short history of what has expired. In 1998, a few short years ago, it was the Tory MP for Whitby-Ajax who sat by when the Health Services Restructuring Commission, which was ordered by the Tory government, ordered the Whitby hospital closed. Wow. Here we have the member stating that funds should increase, and rightly so; we recognize that. But at the same time, we should look at a bit of the history to see just how this came about and why there was a shortfall in the first place.

Imagine this, then: The Health Services Restructuring Commission ordered a number of things closed. What was the first one? The Whitby hospital. But guess what? The people of Durham worried for five long years, and just before the 2003 election, guess what? "We will pull back from our decision to close the hospital." So congratulations to you. You must have been the one who told the Health Services Restructuring Commission just before the last election, "Stop, because the people of Whitby don't have enough health services and certainly we cannot afford to close the hospital in Whitby."

Let's look at the record on a continuous basis. You also cut \$6,364,000 in operating funds from the Lakeridge Health Corp. That was in the first two years of your party's government, just after the election. The Rouge Valley Health System in Ajax and Pickering cut—again, operating funds—in the amount of \$12.7 million in your first three years in office. That's a 10.5% reduction in funding. Why would you do that? When health care is so important, as you say—and we agree; it is—why would you let the people of Whitby-Ajax down? It's not only Whitby-Ajax, but you carry that responsibility on your shoulders even today. The history is not an easy one for you when it comes to health care: Brantford closed, Ottawa Salvation Army Grace Hospital closed, Port Hope hospital closed, Doctors Hospital in Toronto closed, St. Mary's Hospital in London closed, the Perley Hospital in Ottawa closed, Toronto Central Hospital closed, the Great War Memorial Hospital in Perth closed, Pembroke Civic Hospital closed, St. Joseph's General Hospital in Peterborough closed, Sarnia closed, and the Toronto Wellesley Central Hospital closed. Overall across Ontario, the bed capacity in hospitals fell by 7,110 between 1995 and 2003, creating the backlogs and shortages that we've all experienced.

What have we done? We recognize that you have a point, and you should be congratulated in doing it. I'm happy to see that the former Minister of Health is here as well to listen to this debate. I'm sure that she will participate later on. What we're doing right now is creating the Durham West family health team in Ajax and Pickering region, which was just approved in April 2006. We've just announced over \$4 million to Durham Access to Care for acute home care services. The Lakeridge Health Corp. received in 2005-06 infrastructure renewal funds of \$835,000. We're giving the Lakeridge Health Corp. \$231 million for 2006-07, an increase of \$18 million, and an additional \$2 million for community support services for assisted living programs. Since



taking office, the McGuinty government has given an extra \$21,900,000 to long-term-care homes in the Durham region. In short, over half a million dollars to the Head Injury Association of Durham as well to treat patients with acquired brain injuries.

So there were some significant steps that have been taken. In terms of your own response to ballot item 43, it is significant that you raised this issue. But our party has stepped up to the plate, and as I have just indicated to you, the fairly massive amount of health care services in terms of dollars that are provided in Durham is certainly a good step in the right direction.

I thank you for your concern.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** It is my pleasure to rise in support of my colleague from Whitby–Ajax and motion number 19: “That, in the opinion of this House, the government of Ontario should immediately increase health care funding in Durham region to the provincial average, and, thereafter, develop and implement health care funding in Durham region based upon population growth.” It seems like a no-brainer that that is exactly what people should be able to expect in Durham region.

I had the pleasure of joining Christine Elliott on a number of occasions during the recent by-election and going door to door with her and a number of her absolutely tremendous and wonderful canvassers during that campaign. She is absolutely right when she says that the number one issue being raised at the door was health care, but more specifically, health care in Durham region and how they felt this government was short-changing them.

Notwithstanding the address from the honourable membership from Davenport, who wants to take a long historical look, we need only look at the record of this government. In the GTA it may be somewhat different, but if you go to Durham directly, the region which the member serves and is speaking for, the numbers are quite staggering. The per capita gap has risen from \$194 in 2002-03 to \$279 in 2005-06. When you're behind and you're continuing to fall behind, that cannot help but affect the ability to deliver health care services in those areas.

It is clear that the Durham region is one of the fastest-growing areas in the entire province, and if a government is aware of what's going on and not asleep at the switch, as I hope the current government is to some degree, they will no doubt recognize that measures must be taken—and quickly—to ensure that health care in the region of Durham is not compromised. When a population base is growing at that kind of rate, if you want to continue the economic benefits that come from that, you have to ensure that adequate health care is available. In fact, one of the first things people look for if they're considering relocating to a specific area or a new region with their family, or even if they're without children, but particularly then if they are aging seniors, is to ensure that the health care services they need will be there, should they be called upon. If we want to ensure that the region of

Durham continues to prosper, as it is, we have to ensure that the health care services that are required to allow that to be built on are, in fact, there.

**1020**

I must say about the new member for Whitby–Ajax that one of the things I also heard during that campaign was the recognition in her community of her personal commitment to the people; not just during the by-election, but a long-standing, personal record of involvement and commitment to her community. In fact, I believe that last year she was named citizen of the year in Whitby or a part of that region; I couldn't tell you exactly what, but I do recall that she was named person of the year for her contributions to not only children's services but health services in the community.

What I admire about her—one of the things; of course, there are many—is the fact that at the earliest possible date she has moved to follow up on the commitment to the people of Whitby–Ajax that she made during the by-election to do whatever she could in her capacity as the sitting MPP to bring pressure to bear on this government to honour its commitment to health care in this province and recognize that Durham is being left behind. That is something that we're very thankful for and the people of Durham are thankful for, because she has made that commitment, and she has honoured that commitment, unlike many of the commitments that were made by this government when they took office. They haven't honoured them. We're hoping that—not only a commitment, but an absolute responsibility to the people of Ontario and to the people of Durham—they will in fact honour their commitment to health care by supporting this resolution, as tabled today by the member for Whitby–Ajax.

I know I have other members of caucus who wish to speak to this resolution as well. I'm not going to use all the time. There are many, many things we could be talking about with regard to support for this resolution, with regard to statistical backup for the need for this resolution to be supported by all parties, to ensure, as I say again, that the health care of the people of Durham remains a priority, as health care for everyone in the province should remain and that they do not continue to be shortchanged by this government.

**The Deputy Speaker:** Further debate? The member for Nipissing.

**Ms. Monique M. Smith (Nipissing):** Thank you, Mr. Speaker. It would seem our friend from the Beaches is feeling a little shy this morning, so I'll go ahead before him. I'm happy to speak to this resolution and to talk about the investments that our government has made and our commitment to health care.

The resolution from the member for Durham reflects her view of history and not the actual history that has occurred in this province with respect to health care. As you know, between 1995 and 2003, while the Conservative Party was in power, they cut over 7,000 hospital beds, they closed 13 hospitals, and not just that, they refused to make the necessary investments in our



health care system. So now we find ourselves with an infrastructure deficit across the province that our government is left to address.

Let me just talk for a moment about the infrastructure deficit that we had in the north. As you know, there were many hospitals that were left to languish in the north and that were not redeveloped as they should have been. Although commitments were made and rubber cheques were presented, nothing happened. Case in point: the hospital in the Soo, which Mr. Oraziotti, our member for Sault Ste. Marie, has worked very hard to see move forward, and it is moving forward. In Sudbury, a half-built hospital was left to languish because the previous government wouldn't move forward with it. We are moving forward with it. In my own riding, the Mattawa General Hospital, which for 27 years resided in portables, is finally going to be redeveloped under our government, under our watch, something that has been in the works for 27 years. These people have worked hard to hold it together, practically with Band-Aids, and we're going to move forward with a brand new hospital in that community, which I'm sure the member for Renfrew-Nipissing-Pembroke would appreciate, because it's actually fairly close to his riding. And of course, in my hometown of North Bay, we're moving forward with a brand new hospital as well, something that's long overdue and long been waited for, something that was promised, something that we had lovely blue cheques for and pictures of the former Premier digging holes that didn't go anywhere. But we will see shovels in the ground this fall, and I'm very proud of that.

I'd like to speak a little bit this morning about the spectrum of health care and the investments that we've made in the Durham region: investing \$4.8 million in Durham Access to Care for acute home-care services. In the spectrum of care, this is an incredible investment and important for the people of Durham, who are hoping to have home care and not find themselves in hospital or long-term care.

Let me just speak for a moment about long-term care, because you know it's an issue that's near and dear to my heart, where I spend a great deal of time. In the Durham region, we have 18 long-term-care homes. I would say that the Durham region is very well served with respect to long-term care. In fact, of those 18, nine of them are brand new or have been redeveloped. That's exceptional. The Durham region is very well served in that area of health care. In fact, just this morning, at 10 a.m., Hillsdale Terrace is being opened, an investment of \$43 million in Oshawa in a brand new long-term-care home to serve the people of the Durham region.

The people of Durham region are well served. We are making investments across the province in order to ensure that all residents deserve and receive the quality care they are entitled to. So we are making those investments, we are addressing the infrastructure deficit, the health care deficit that we found when we came into office, that her party—her husband as finance minister, her government—caused and we are addressing that as best we can and making investments where we can and

ensuring that every single resident of Ontario receives quality care.

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I am extremely pleased to have the opportunity to support the resolution put forward by my colleague the member for Whitby-Ajax. The motion reads as follows:

"That, in the opinion of this House, the government of Ontario should immediately increase health care funding in Durham region to the provincial average, and, thereafter, develop and implement health care funding in Durham region based upon population growth."

I am very pleased to speak to this resolution because I certainly share the concerns of many people in the province of Ontario about the McGuinty Liberal government approach to health care funding. We have seen, time and time again, the Minister of Health and this government make announcements, whether it be for family health teams or for hospital funding or for health human resources. The announcements are totally lacking in details for funding, details as to the timelines for implementation. In fact, many of the announcements go back and all the way—promises, supposedly, that are being made for 2009 and 2010. We all know that with this government, when they make a promise, you can't believe them.

We've had over 50 broken promises to begin with. One of the promises that has probably been most disappointing for people in the province of Ontario was the commitment that was made by the Premier not to raise taxes. He wasn't going to lower them, but he wasn't going to raise them. Regrettably, in their first budget, they said they were now going to implement a McGuinty health tax. They are taking from the people in the province of Ontario, at the current time, somewhere in the neighbourhood of \$2.4 billion for health care. They broke their promise not to raise taxes.

What does this mean for individuals? Some people are paying an extra \$300 in health taxes; some might be paying \$600; some might be paying as much as \$900. Unfortunately today, in the McGuinty Ontario, people are paying more for health care and they are getting less. Certainly this motion is testament to the fact that the people in Durham region are not seeing increased health care funding, and this motion asks for that funding to be provided.

Prior to the election of the member for Whitby-Ajax, I indicated in a statement that I had made that—I said this after the budget of 2006: "The McGuinty Liberals' year-end spending spree effectively shut out Durham region. While the Liberals rushed to shove about \$1 billion into a slush fund to spend on transit and roads in other parts of the GTA, Durham region was noticeably excluded in the one-time investment to help GTA municipalities." I went on to say, "It appears that Premier McGuinty does not consider Durham region a high-priority area."

**1030**

At the same time, I went on to talk about the member who is now the member for Whitby-Ajax, and I indicated that if she was elected—and the people in that



community certainly recognized that she was the best candidate—she would fight for fair funding for the people in Durham. Here she is just a few months later doing exactly what she had committed to the constituents who she now represents. I said, “She will fight for fair funding of Durham hospitals.” Really, today she is doing that.

I spoke about the fact that the people in Whitby–Ajax were paying the illegal health tax while the wait-times in that riding were going up and the services and the staff were being cut. That’s exactly what’s happening.

So I applaud this member. I congratulate her constituents for having the foresight and the vision to elect her to be their representative. They made a wise and outstanding choice. Here she is today, just a few months later, doing exactly what she has committed to do.

I want to remind the government that in 1995, when our government took over, we had in this province a deficit when it came to health care. There had been no investment in capital infrastructure whatsoever. There had been no attention paid to long-term-care beds. There had been no building in over 10 years. So in 1997, our government committed to invest in 20,000 long-term-care beds, we invested over a billion dollars into community services, because we were going to be providing a continuum of services. We also increased hospital funding. We made decisions to ensure that the hospitals in the province of Ontario were all centres of excellence. That meant that we had to take action, which the former NDP and Liberal governments had refused to do. We had 10,000 empty beds in hospitals in Ontario. We were paying for bricks and mortar; we were not paying for health services.

We took the difficult decision to ensure that we provided a continuum of health services that started with promotion, that went into primary care and family health teams. We set up new hospitals. We expanded hospital services. We increased the number of cancer facilities and cardiac facilities. We increased the number of MRIs in the province of Ontario. We built new dialysis areas throughout the province. We took the tough decisions that were necessary.

Then, we added 20,000 long-term-care beds, because we had all of these people who were inappropriately housed in our hospitals who needed quality of care, improved care that could only be provided within the home-like setting of the long-term-care facilities. We also invested, for the first time, in comprehensive community services.

That’s what our government did. What is this government doing? They are now underfunding Durham region. In fact, they are underfunding the entire community of the GTA. They do not recognize that between 1996 and 2005 this area grew on average by 106,000 residents annually. This represents half the annual population growth in Ontario over this period. It’s equivalent to adding the population of the city of Kingston to the GTA each and every year.

We have to remember, not only is the GTA growing, it is aging at twice the provincial rate. It is increasing

culturally, and socially and economically it is very diverse. Yet despite this growth, this aging population and increasing diversity, access to hospital services in this fast-growing area of Ontario has fallen behind the province, due primarily to the way the government funds hospitals. My colleague today has spoken about this widening per capita gap in Durham for our hospitals. She has mentioned the chronic underfunding. She has talked about the fact that this presents a challenge if we have an unexpected outbreak of disease, an emergency. They cannot have the services close to home as our government wanted everyone to have. I support her resolution strongly.

**Mr. Michael Prue (Beaches–East York):** Perhaps for the edification of some of the members opposite, they might notice that I am alone here today. I have the entire 15 minutes, and I thought I would participate in the debate after having heard what some of the other parties might have to say to it. As you might also be fully aware, under the rules and procedures of the House, our party, being the third party, is often skipped.

**Mr. Dave Levac (Brant):** That’s because you don’t want to.

**Mr. Prue:** No. You will often notice that happens under the rules and procedures in terms of members’ statements and other things. There is a noticeable skip, and it seems to me to be—

**Mr. Levac:** By choice.

**Mr. Prue:** —by choice. So I am here now to speak.

I would commend the member from Whitby–Ajax for bringing this motion forward, but at the time I commend her, I also have to state how saddened we are that it is necessary for her or that she feels it is necessary for her to do so. She has come forward today because in her opinion her community is not getting the necessary resources at a time of great population growth. As people are expanding into, moving to and living in Durham region, she sees that there are not sufficient facilities in terms of health care for that community.

It is a difficult proposition for me to talk to, and I’m sure for all members, because we have many roles in this House. One of the roles, when we are elected, is to represent our community, to stand up, as I would on behalf of Beaches–East York, as the member from Brant might on behalf of the people in his riding of Brant, or as the member here today talks about her riding and the people of Whitby–Ajax, which forms an integral part of Durham region. But having said that, I think we also have other obligations. When I see motions such as this, I wonder about those other obligations, because not only do we speak on behalf of the people of our own riding, we also have to, as legislators, speak on behalf of all the people of Ontario.

When resolutions such as this come forward, it troubles me somewhat. Although I know that what she speaks about is justified, although I know what she speaks about is correct and although I understand that the money flowing into that community for hospital and medical purposes will not be as high on a per capita basis



as some other areas of the province, it still troubles me because there are different and unique circumstances in each and every one of our ridings that need to be looked at as well.

If I can talk a little bit about that, the region of Durham, justifiably in my view, has been shortchanged by this government—not justifiably that the government is doing it, but their comment is justifiable; I should be very careful how I say that. Their comment is justifiable. In terms of the hospitals, we can see that there are not sufficient hospitals and that the hospitals tend to be overcrowded. In terms of health care, the member from Whitby–Ajax has made a very strong case. In terms of transit, we have just seen the transit allocation, seen this government’s finance bill, this government’s budget, come forward with a great deal of money for transit throughout the GTA, but literally none for Durham.

So I can understand how the people of Durham are feeling shortchanged. Juxtaposed to that, though, I have to ask this question, and I’ve heard some others talk about it. This is a member who is before this House today asking that we spend more money in her particular riding. This is a member whose party spent less money, and certainly when times were good.

1040

I heard what was said about the NDP not spending money between 1990 and 1995. I was not a member of this House, but I have to tell you, times were pretty tough. They were bad; they were really bad. We were in a depression and nobody got much of anything in those days—and even doing that, there were huge deficits because there weren’t jobs and the worldwide economy was in bad shape. And it wasn’t just here in Ontario; it was literally everywhere in North America and most of Europe. The economies were in bad shape and the money was not there to be spent. Times started to change around 1994, 1995, 1996, Things started to get better. But in that period there were closures of hospitals and there was a chronic underfunding, I would think, of much of the health care system in this province, to the point that many health care institutions had to go cap in hand. Many could not build what needed to be built, many services that needed to be offered could not be offered.

This is the same party—and I have heard them, and I wonder about this; perhaps the member can talk about this when she has a couple of minutes at the end—that says they oppose the health tax, they oppose the \$2.6 billion that is being spent on precisely what she is asking to be spent in her region of Durham.

New Democrats oppose the health tax as well—we do—but unlike the Conservatives, who say they are going to abolish it, we say we would abolish it but replace it with taxation from the ordinary tax system. We think the health tax is wrong because it penalizes people at the bottom levels. We don’t think it is fair that you take money from people who can ill afford it, and that people who earn \$100,000 or \$200,000 or \$300,000 a year pay just such a pittance towards their own health premiums. We would like to see a much fairer system.

We would abolish the health tax and replace that through the income tax to garner the same amounts of money.

On the other hand, from what I have heard from the Leader of the Opposition and from members of the Conservative Party, they would abolish the health tax, period. I have not heard in any way that they intend to replace that money. So I don’t know what happens to this resolution, and I don’t know what would happen to this resolution in the event that some 14 or 15 months from now, following the election, the Conservatives should win that election and abolish the health tax. If they do not replace the money, where does the money come from to fund what Durham needs? I believe that Durham needs this, but I don’t know where the money will come from. So I have to ask that question. I think it is central to the whole issue and, depending on how the member might answer this, to whether or not I support her motion here today.

The expansion of Durham is a very real factor, but there are many places in this province that are expanding, and unfortunately there are some rural and northern places that are contracting at the same time. There was a private member’s bill just this past week. The member from Halton talked about recalculation. I think that was a good idea, because we have to not just use the Statistics Canada figures every 10 years, or the mini-census that comes every five years in between, to calculate how big towns and cities and regions are, because some of them are experiencing very quick growth. Durham is one such place. Relying on the Statistics Canada figures collected every 10 years does not give a proper indication of how large those towns and cities are. Conversely, it is not uncommon in small one-industry northern towns, where the industry moves out, for it to depopulate fairly rapidly, yet the census figure might say that it’s still chock-a-block full of houses and people, where in reality that is not the case. We need to find another mechanism. I would suggest that his private member’s bill last week would go a long way to helping this particular circumstance as well, because I would hazard a guess that the people of Durham and the government are using the statistics from the census, which is now five years old. I would hazard that’s why you’re getting that money.

There are other issues, though, that we need to talk about, because this is an important one being raised by the member from Whitby–Ajax. This is where I have to put my hat on to speak for all of Ontario. There are areas in this province, particularly northern, near northern and rural areas, where there is isolation, where people don’t have even the crowded hospital system that they have in Durham. They don’t have any hospital system, literally, at all.

If you live in small-town Ontario, particularly in northern Ontario, you will know about the isolation. You will know the great distance you have to travel to go to Sudbury or Timmins. You will know the great distance you have to travel to Thunder Bay or to any place where there is a hospital, because your community doesn’t have one. Your community may not have a doctor; it may not



even have a nursing station. I think the difficulty of trying to provide services to people in those locations has to be looked at too. That cannot be seen in isolation and it cannot be seen in isolation of what is being said here today about Durham.

Once a year I try to go with my colleague the member from Timmins–James Bay to visit some parts of his riding, particularly those parts that are First Nations. It is an opportunity for a boy from the city to see how people in other parts of this province live—people from other cultures, people in the far northern and remote communities. I want to tell you, in terms of the health care they are provided, it would make most Canadians, if they were to see it, quite ashamed.

I know that it is not totally a provincial responsibility and I know the federal government, in great part, is to blame for the conditions one finds in those communities, but we as Ontarians need to speak out strongly in support of our First Nations people. We need to talk about the kinds of conditions they have: the fact that the nursing station cannot adequately look after the needs of the people; the fact that medevac has to come in there to evacuate them if there's any kind of serious problem; to show the social and health conditions, where they're drinking tainted water and they're under boil-water advisories for years, as in the case of Kashechewan; the problems of the mould in the schools and the lack of medical facilities in places like Attawapiskat; the isolation and the remoteness of a little town like Peawanuck. If you go into Marten Falls/Ogoki and have a look at that place, you will see that all of the infrastructure that was built has literally never been occupied—the arena they built for the kids—because the ice storm actually destroyed it before it could be occupied. There has never had any money, either from this government or from the federal government, to restore it so that there is at least some facility in the town, something for the kids to do. As much as we need to talk about Durham, we need to talk about that.

We also need to talk about the rural areas, where people live in some isolation. It may not be the isolation of the far north, but I will tell you about my own parents who live near Bancroft. My mother had to go down to have a cataract removed. It took more than a year or a year and a half to get an appointment. It was in Peterborough. That may not seem like the end of the earth, but that's an hour and a half. My parents don't live that far. Today is their anniversary, by the way. Happy anniversary, if you're watching.

**Mr. Ernie Hardeman (Oxford):** Did this come to you?

**Mr. Prue:** No, I'm going to phone them later too.

**Mr. Yakabuski:** You made a member's statement the other day.

**Mr. Prue:** Yes, I did a statement as well.

They don't live that far. If you live up in Maynooth or Barry's Bay, that's a long way to go if you have to go down to Peterborough or Ottawa to have just routine kind of stuff. That's something that needs to be addressed too,

because not only do we need more hospital in Durham, I would suggest we need more hospitals throughout all of Ontario. Asking people in rural, northern and farm country to travel the distances that we do is simply not right.

We also need to talk about the urban areas and the money that is needed for the urban areas, because there are higher incidences of poverty there, there are more people who are aged and have special conditions; there are new immigrants who come with medical problems that are perhaps unique to them and are not fully understood in this country. The money is needed for all of them. The money is needed for everybody.

I want to hear what the member has to say to what I have raised here today. I recognize that her cause is right for Durham, but I also want to know how that fits into the whole perspective of Ontario, for the 13 million people who live in this province, many of whom have needs that are unique and significant and need to be addressed as well.

1050

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I appreciate the opportunity to add some comments for a few moments for the member from Whitby–Ajax. This is her first resolution and I congratulate her on the opportunity to present to the House in this fashion. I apologize for not being here for her earlier comments. I was on other government business during the earlier part of the morning, which I'll have to return to.

Both of us are new to this place—the member from Whitby–Ajax is new in the past number of months, and myself new during this mandate—so we don't necessarily have direct responsibility for what has transpired in previous years. We do have some responsibility for what transpires during this time frame.

I can start by saying that there is a principle in the resolution that I endorse, and that principle is that growth in growth regions needs to be addressed as part of the overall health strategy. Durham certainly is one of those areas, but it's clearly not the only area within the province, nor is the GTA the only growth area within the province.

To an extent, our government has been addressing this through some strategic decisions about the application of financial resources, directly from the standpoint of hospital investments, or the distribution of family health teams throughout the province in areas that are seeing growth or the addition to or satellites for the community health centres that are in growth-related communities. We have been addressing growth from that context.

I think it's important, though, that we reflect on how we got to the state we're in, and thus my comments about neither the member from Whitby–Ajax nor myself having direct responsibility for that. It was in 1998 that the former government, the Tory-appointed Health Services Restructuring Commission, ordered the closing of hospitals throughout Ontario. This included the closing at that time of Whitby General Hospital. At that time, the member for Whitby–Ajax was a member of cabinet, and yet the activity to downgrade health care and remove one



of three hospital structures in Durham was certainly a jeopardy. It wasn't until 2003, in May, as we were all anticipating a provincial election on any given day, that the government of that day moved back from that particular call. As a matter of fact, the Oshawa, Whitby, Clarington and Port Perry This Week—News headed off with, "Facing possible flat-line, Lakeridge Health Whitby has been given paddles by the province to keep it afloat."

Hospitals and health care in the province and in Durham region were busy either closing or restructuring through amalgamation, and spending all their time and energy on how to either get rid of sites or consolidate sites with little opportunity to build on what the real needs of the community were in a growth community.

Since coming to office, I know that I, on behalf of my constituents, and I would suggest constituents throughout Durham region, as the only member from the government side of the House and having some long history in Durham region, certainly have been called upon by the health care systems, the health care providers in Durham to come to their aid. I know that the members opposite who represent Durham have similarly lent their voices to that, but clearly, people look to the government side for assistance.

During this time, we have finalized the funding for the R.S. McLaughlin Durham Regional Cancer Centre, which will be commissioned this November and operational next spring. We have put into our five-year rolling capital plan for 2007-08 the redevelopment of the Ajax-Pickering Health Centre as part of the Rouge Valley Health System, long-awaited, and announced, without funding, like many other hospitals across the province, particularly those, as I was suggesting, in growth regions, in May and June and March and the like of 2003.

We have put into that rolling capital plan, so it's clear what the plan is and what the time frames are, with the funding for 2009-10, a major redevelopment at Lakeridge, Oshawa, for, I believe, about 140-odd acute beds.

So in the limited time we've confirmed the funding that allowed the cancer centre to move forward. We have finalized the approvals and funding capacity for both Rouge Valley Health System and Lakeridge in Durham region.

Mr. Speaker, I wish there were more time.

**The Deputy Speaker:** Thank you. Ms. Elliott, you have two minutes to respond.

**Mrs. Elliott:** First of all, I'd like to say that I appreciate the comments made by my colleagues the members from Renfrew-Nipissing-Pembroke and Kitchener-Waterloo, and the statement made by the member from Durham that I read from in support of this resolution. I appreciate their comments.

We have heard from the government members about how much they've done in Durham region in recent years. My response to that would be, that is really just, if I may say, a drop in the bucket compared to the need, that almost the existence of Durham region has been ignored by this government since it was elected in 2003.

That is certainly the perception, the view that is widely held by members in the riding of Whitby-Ajax, the many people I've spoken to during the election campaign. They feel our concerns have been ignored, not just in health care funding but across the board in terms of education and infrastructure funding. If you look at what happened with the most recent budget, as the member from Beaches-East York mentioned, there was no mention of any transit funding, or any infrastructure funding for the Durham region in the budget for that matter. A great deal of money went to the other regions, but east of the city there was virtually nothing. So the residents of Durham region, to some extent, are feeling upset that their concerns haven't been addressed.

To respond to the comments made by the member from Beaches-East York with respect to the health care tax, yes, our party leader, John Tory, has been very strong in his statement that we would eliminate the health care tax if we were elected to government, because we think Ontario taxpayers are taxed enough. That's all I would say about that, but that is something we are very committed to.

Finally, though I don't like to rehash events of the past, because it has been mentioned by enough government members, I feel the need to respond to the statement with respect to Whitby General Hospital. I would say that, first of all, the decision was made by the hospital restructuring commission, not by the government, and the hospital was never closed.

## ARTS EDUCATION WEEK ACT, 2006

### LOI DE 2006 SUR LA SEMAINE DE L'ÉDUCATION ARTISTIQUE

Ms. Mossop moved second reading of the following bill:

Bill 118, An Act to make the fourth week in October Arts Education Week / Projet de loi 118, Loi désignant la quatrième semaine d'octobre Semaine de l'éducation artistique.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Ms. Mossop, you have up to 10 minutes. The floor is yours.

**Ms. Jennifer F. Mossop (Stoney Creek):** The opportunity to put forward a piece of legislation is a rare privilege and there are countless issues, all valid, worthy, compelling issues that might be addressed, so why, some people might be asking, would I choose something as seemingly innocuous as declaring the fourth week of October Arts Education Week in Ontario? It's not exactly a headline grabber maybe that you might expect coming from a former journalist, but then I didn't get into this business of politics, of government, to grab headlines, and I didn't get into the business of journalism to grab headlines. In fact, I did it because I wanted to try to make a difference. Maybe I am an incurable idealist or optimist, but I did get into this business and into journalism to try to make a difference in the world. What I wanted to do was to make the world a better place, and to make it a



better place not just for some people but for all. I wanted it to be a more humane, a more thoughtful, a more beautiful and a safer place, not just for some but for all.

1100

So why Arts Education Week, if that's my goal? There are dozens upon dozens of research studies from all over this world that point to the undeniable benefits of arts education. There are direct links between arts education and academic success, higher standardized test scores—for example, in literacy and numeracy—cognitive development and problem-solving skills. Arts education has also proven to be an effective way to reach those who are having trouble in school, those with learning disabilities, maybe, or children at risk. Also, the arts engage children in learning and have proven to keep kids in school longer and to have better adult outcomes. Arts education has proven to keep kids out of trouble and keep them in their communities as well as in their schools. It decreases anti-social behaviour and emotional problems, increases self-esteem, self-confidence and self-discipline. As a result, the costs associated with children's aid, with health providers and with the justice sector go down. Tolerance, understanding and effective interpersonal and communication skills go up. These are the ingredients of successful individuals and successful societies.

All these things have been proven empirically. We always seem to need that intellectual security blanket, that thing that tells us on a piece of paper or in science that this is right, that we can back this because science tells us this is okay, it's good. But in fact we know it in more important ways. We know the importance of arts education anecdotally. We've all heard the stories. Every one of us in this room and beyond has heard the stories or witnessed those magic moments when a child is engaged and focused, maybe even for the first time, because they've had an experience with the arts. You can see in their eyes at that moment that a seed has been planted that's going to yield a better life.

I was talking with one of the artists who's involved in the learning through the arts program, Pier Rodier. He went to a school and helped the math teacher give a lesson in math using artistic techniques. The next day the principal called and said, "We'd like you to come back and give our teachers a workshop in discipline. You must have wonderful techniques in discipline, because the kids were so focused while you were here and they were so well-behaved." In fact, it wasn't that. It was because he connected with them and he engaged them in the learning experience and in the subject matter. They took ownership of the experience; they took ownership of what they were learning.

We hear all these stories and we know that at the end of the day that's what we all are: We are stories. And if there are no storytellers, whether it's through the written word, through song, through drama and through visual arts, then to a certain extent we cease to exist because our stories cease to exist.

Also, the arts are the expression of that intangible essential called the soul. The arts are a unique and primary form of communication and expression for human

beings. They give our creativity a voice and they fuel our imagination. So how important is imagination? There's a gentleman in the members' gallery from the Science Centre, Vishnu Ramcharan, who told me how important it is this way. He said that if you take a young child—perhaps they're having a difficult life or a difficult time—and you show them a plate and you say to the child, "What is this?" the kid looks at you and shrugs their shoulders and says, "Well, it's a plate." "Yes, but what else can it be?" And they start looking at it differently. Maybe you can put a planter in it and it will catch the water and it can be a planter. Or you can paint it and it can hang on the wall and be a piece of art. Or if it's made of something non-breakable, you could turn it over and fling it across the room and it would make a good Frisbee. What you do, then, is teach this child that things can be different, they can be better. So if you're having a bad day today, tomorrow can be different; it can be better. And that gives all of us hope. That is something that each and every one of us needs in our survival kit of life.

I'm going to now move into a practical area. The arts are also where there are some very satisfying jobs, careers and businesses. Ontario, in fact, is the third-largest employer in the cultural sector, and the cultural sector is expected to be one of the top three growth industries in the next 20 years.

There is a race on all around the world right now for communities wanting to become creative cultural communities, because they realize that that is where people want to work and live, and if they are going to attract businesses and industries, they have to have something for those people to do. If those companies want to attract good people, they have to have something for the people to do after they get out of work and after they get out of school. They want to be in a culturally rich community.

We talk a lot in this House of how we should be spending taxpayers' dollars. We spend a great deal of it on health care, and I understand the importance of health care, but quite frankly, there is not a single one of us in this room that actually wants to have to use health care. None of us wants to go to the hospital, none of us wants to need health care, but every moment of every day we are living culture, from the minute we wake up in the morning and our eyes rest on the favourite painting we have hanging on the wall, and our radio turns on and the music starts playing, and we read the newspaper. We go to work and we walk amidst the architecture. We get to work, and we have lunch, which is culture as well. Food is culture. At the end of the day, we curl up with a good book or we watch a good movie or we watch television. It's all culture.

So what we need to do is provide these cultural communities, these creative communities with, simultaneously, a workforce and an audience. This is where arts education again comes in. This is not just an Ontario issue. UNESCO just held an international conference on arts education in Portugal. It was discussed at great length, but what was basically understood was that the



knowledge-based economy that we have in our world today requires the creative, flexible intelligences that are developed through artistic languages and pursuits.

Critical Evidence is one of the latest papers to come out of the United States that talks about arts education initiatives in the United States. In that it says that 95% of people understand the benefits of arts ed and want arts education for their kids, but there is still a disconnect between that desire and making it happen. There is a fabulous school in Montreal called FACE, Fine Arts Core Education; parents line up all over the place for this public school. They line up on the front lawn every year to get their kids into this school because it is an arts education facility and it has proven to keep their kids in school, keep them out of trouble and raise their test scores. They have academic success. In fact, the parents say that sometimes they can convince their kids to stay home when they're sick. That's how much they enjoy going to this school.

Educational Leadership is one of the leading documents on arts education and education. It says that we need to get serious about integrating the arts back into our curriculum.

So this bill will set aside the fourth week in October each year to celebrate, honour and manifest arts education. Arts specialists and community arts organizations can work with schools and with teachers to organize events for that week. They can do exchanges with other schools. They can bring artists in. They can go out to artistic events. Projects, performances or exhibits can be held all during that week. Also, they can launch them during that week and maybe have them culminate in Education Week, which is in May.

I've talked to a lot of people in the community; some of them are here with us today in the members' gallery, from the Ontario Science Centre, the Ontario Media Development Corp., the Ontario Arts Council, Artsaround, the Ministry of Culture, Soundscreens. I want to thank you all for being here to support this. I've been working very hard for a long time on this initiative, because I really believe in it. I think the possibilities and the opportunities are endless, with a little imagination.

**Mr. Ernie Hardeman (Oxford):** I'm pleased to rise this morning and speak to Bill 118, introduced by the member from Stoney Creek, An Act to make the fourth week in October Arts Education Week. I want to say that it's a motherhood issue and I would expect that when the time comes to vote on this bill it will get unanimous support from the House, because I don't think there would be anyone that would suggest it wasn't appropriate to recognize the importance of art and culture as it relates to educating young people. I think it will be supported by all.

1110

As recently as this week, I had a visit from one of my constituents, Linda Albright, who was in my constituency office to speak to me about the arts being used in the education system. Linda lives in the town of Tillsonburg. For—I'm just making a guess—somewhere in the

neighbourhood of eight to 10 years now she has been involved with using the arts and music to deal with at-risk students. When the previous government—the government I was proud to be a member of—introduced the Safe Schools Act and we ended up having students who were not able to go to school and had to be educated in a different way, Participate, in the town of Tillsonburg, took on that challenge and helped educate those children and get them back into the mainstream.

It was an amazing feat when you saw this happen. Where these children would come into the system and get involved with the arts and music, it became such a driving force to get them back on the right track. I want to commend Linda for doing that. I also want to say that the reason she was in my office is that she's involved with the Arts Network for Children and Youth. They know how much art contributes to the benefit and the help of at-risk youth in the province of Ontario.

Of course, the other reason she was there: She has concerns that the system that we have in Ontario today is not funding that part of education. She was looking for ways to deal with and getting advice on how to approach the different levels of government to support the program. The Participate program in Tillsonburg has moved out of their small quarters. They are now in a nice area right in the town hall with the support of the town of Tillsonburg. But of course that is not sufficient to carry on as the program is growing. She's looking for more stable funding to help make the program sustainable for the future.

I think it's important that the Arts Network for Children and Youth is in fact doing a lot of good around the province to bring together the needs of these at-risk students and the community in general. I think it's important to recognize that it should be part of all systems in government: the justice system, the social services system. There's a direct connection between the needs of these children and the social services that are available, that these children should be able to avail themselves of—again, the health and of course as the bill speaks to the education system.

I have to say that I'm concerned that this government talks a good story but has done very little to ensure that all students in all schools have equal opportunity to experience the arts in their schools. That's the reason I bring that up, of course: The member introducing this bill is a member of the present government. I think it becomes so important. It's more than just recognizing arts in education as an event that we need to think about one week in the year; I think it's more important to see that the government takes it seriously and actually supports the arts in the education system.

I'll just give some examples. The government announced on May 5, 2006, a \$4-million arts education partnership where they expect private-sector donors to support the program—big announcement, little substance and no help to the schools that are trying to educate students through the arts. It's a great system to make an announcement on, but having matching dollars—in fact,



this doesn't provide equal opportunity for all students throughout the province. This was brought out by the People for Education news release upon that announcement in May:

"Ontario parents will fundraise over \$50 million in the 2005-06 school year to provide arts enrichment and augment their schools' budgets. This amount has increased annually since 1998-99, and indicates a growing dependence on fundraising to provide publicly funded schools with resources.

"Relying on fundraising for necessities like books, classroom supplies, art programs and computers creates a system of 'have' and 'have-not' schools, because schools' ability to fundraise depends on the amount of free time parents have, parents' capacity to raise money and the wealth of the community."

Again, of course, that's a great concern that would show that that's not equal opportunity for all children in the system. They go on:

"There are significant differences in schools' budgets for arts programs, and many schools rely on parents to supply the funding. This year, 20% of secondary schools and 54% of elementary schools report that parents fundraise for arts enrichment in their schools.

"The government announcement of up to \$4 million to 'match' money raised by arts organizations does not do enough to address this issue." I point out that I think it's important, as we agree to this bill, that we collectively encourage the government to put more money in place.

The same report from People for Education deals with the class size cap that the government has put in place, from kindergarten to grade 3. Of course, they're obligated to have a smaller class size in those areas. Many of the school boards are taking away the dollars, the resources that they formerly were putting into the art community or art education, and using that to lower the size of the lower classes.

Another thing I just wanted to mention—it's kind of a personal thing—is that the Premier went out and made an announcement, and it was written up in the *Toronto Star* by one of the writers there. The reason that one caught my eye is that that is the school my granddaughter will be attending in about three and a half years when she starts school. She and her mother were able to attend the announcement that the Premier made at the school, Palmerston Avenue Public School. It says here, as from the *Toronto Star*:

"With great difficulty, the teachers and students at Palmerston Avenue Public School behaved like good stage props this month when Premier Dalton McGuinty and his entourage swept in to announce a \$4-million commitment to arts education." That's the same announcement I spoke to earlier.

"What everybody at the school knew was that Palmerston's arts program, one of the best in the province, doesn't get a cent from Queen's Park. It wouldn't exist if parents hadn't raised the money for everything from the instructor's salary to the supplies."

From the instructor's salary to all the supplies, everything was being supplied by the school, and yet the Premier was there announcing how we, as a government, were investing that much money into the arts in that school. Obviously, not a nickel of it was coming from the province; it was all being provided by the parents and the community.

The same article goes on:

"In fact, McGuinty's May 5 announcement at Palmerston Avenue Public School reinforced that trend. The Premier pledged to match, dollar for dollar, money raised privately for arts education. Such 'partnerships' worry Kidder"—and this is, of course, Annie Kidder from People for Education—"and other advocates of public education for three reasons." The first one, of course, and the most important they feel, is that, "They widen the disparity between the 'have' and 'have not' schools."

I do have more here, but I know my colleague wishes to speak to this bill too, so I will leave it at that and say we support the bill, but I think it's very important that the government realizes that if we're going to recognize arts as an important factor in educating our children, we fund it in a way that it can be used advantageously for all the children in the system.

**Mr. Rosario Marchese (Trinity-Spadina):** It's my pleasure to speak—

*Applause.*

**Mr. Marchese:** You don't know what I'm going to say yet.

*Interjections.*

**Mr. Marchese:** Kathleen knows what I might say.

It's a pleasure for me to speak to this bill and to support Bill 118. I must tell you, I will be critical towards the end of my comments, but you'll have to wait for that.

**Mrs. Carol Mitchell (Huron-Bruce):** Just stay positive.

**Mr. Marchese:** It's hard to be positive when I point out some of the weaknesses of your government, but I'll do that at the end of my remarks.

New Democrats believe that professional and community art and culture are vital to our social and economic well-being as a society. I want to tell you my experience, briefly, as a former Minister of Culture, and I want to say to those of you who might not remember, that in 1990, when we got elected as New Democrats, we were in the depth of a recession. Most economists will admit that was the case, except for Liberal Party and Conservative Party members who can never acknowledge that we had a difficult economic time, but we did. But in that recession, we did not cut, in culture, one cent. We didn't do that. I wager to say to the few cultural friends who are here that if Tories were in power in that recession, and/or our good friends, the Liberal Party, they would have decimated culture, and I'll explain why: If Liberals can cut in a good economy, as they did this year, and I will explain that later, imagine what they would have done in a recession, not to speak of my good friends the Tories. Because of the tremendous cuts they made in a good economy, think of what they would have done in



a bad one. But we maintained our support for the Ontario Arts Council to the tune of \$47 million at that time. When the Tories were in power, by 2003 it was at \$26 million; it went from \$47 million to \$26 million, and in a good economy, I tell you. Imagine what they would have done if it was a bad economy.

1120

So we maintained support for all of our big cultural institutions, including the Ontario Arts Council, and not only did we create a book and magazine—I did that. I created the book and magazine publishing centre to protect those publishing in magazines and books that were going down. Imagine what the other governments would have done if they were there at that time.

What I learned in government is that the Ministry of Culture doesn't have a great deal of power, not then and not now. In spite of what anyone might tell you in government or while they were in government, the Ministry of Culture—I was about to say, "is the least important," but not entirely, so I'm not going to say that—has no importance or power in government, and the reason for that has nothing to do with the ministers, although some ministers are better than others in terms of being good advocates.

**Interjection:** They're all good.

**Mr. Marchese:** No, they're not. There are good ministers and there are some terribly bad ones. There are caretakers of the ministry and there are those who are strong advocates. But in spite of that, it doesn't matter whether you're a strong advocate or a weak one; you're still powerless in cabinet. I don't know why some of the members are sort of shaking their heads, because they ought to know. And the ministers know. And the minister knows. And the reason for that—

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** In the McGuinty government, every minister has a word.

**M. Marchese:** Mon ami, ce n'est pas le cas dans ton gouvernement. Je peut te dire que ce n'est pas le cas.

The reason for that is because we do not have a cultural sector that lobbies government strongly. If we did, the Minister of Culture would be one of the strongest ministers in this government or any government. Until the cultural community realizes that the reason why ministers have no power is because they do not press governments—until then—they can come and we can pass this bill today and you can all feel good. The member from Stoney Creek can feel good. I can feel good in supporting it. We can all feel good, and nothing will change.

Culture is important in this country and in this province. Just to give you some old statistics I kept a while ago, the business of culture is big business in Ontario. Ontario's cultural industries contribute more than \$5.3 billion to Ontario's economy and generate more than 40,000 highly skilled jobs in Ontario. Just to break it down, Ontario-based book publishers generated \$1.7 billion in revenues in 2001 while total revenues in Canada amounted to \$2.4 billion. The direct impact on the 2002 GDP for Canadian-owned, Ontario-based book

publishers was \$98 million. Film and television production spent \$874 million in 2003. Domestic production expenditures in Ontario were \$504 million, representing the first increase in over four years as a share of total industry. The annual economic impact of Ontario's growing interactive digital media industry is estimated at \$1 billion. Ontario's magazine industry contributed approximately \$740 million to the provincial economy. Ontario-based record companies generated almost \$1.1 billion in revenues. Total revenues in Canada amounted to just over \$1.3 billion.

The facts are clear to anyone who wants to understand them, but what I want to say to the cultural sector people who are here today and those who might be watching is that the facts do not matter. What matters is if you're able to lobby government and convince them that culture does matter, not just to our economy but to our identity as Ontarians and as Canadians. Until you do that, the facts are meaningless, because we simply do not pressure governments to have them understand that culture is an important part of who we are. That's the problem we have in this country.

Measured on a per capita basis, governments, corporations, consumers, visitors and philanthropists invest far more in operating art sectors in the great cities of the world than we do in Toronto, which is one of the most important cities in Canada as it relates to the arts. Economic and quality-of-life returns on investment in, say, New York, London, Paris, San Francisco, are highly attractive. In fact, nearly every centre of world trade and commerce possesses and aggressively promotes a vibrant arts sector. We know it happens in great cities, and not just the ones I mentioned but other great cities in Europe as well. They know how vital culture is, not just to their tourism but to their economic and cultural identity and social well-being.

We also know that those who are involved in the arts and culture in general have high levels of education. But we know there is also a high proportion of self-employment, there is a predominance of women in the sector, and we also know there are very low earnings. People get involved in this field because they love it, not because they're going to make money or get rich, except for the few people in some of the cultural industries. The majority of the people in the arts are poor. They're the ones who support the cultural sector, in spite of the fact that they make so very little, and no one knows that except those who are involved in culture.

The earnings, I'm telling you, are incredibly low. Artists' earnings are the following: the average earnings are \$26,800, 24% less than the average earnings in the overall Ontario labour force. There are some other statistics that speak about even worse incomes. Another key factor in the low earnings of artists is the situation of female artists, who earn on average \$11,000 less than male artists, which is at \$21,900. We know that people get involved in the culture sector not because they're going to make a whole lot of pecunia but because they feel the arts and they love the arts, and they want to do it because of that love.



When I look at what this government has done, and I review the bill before us, which is an important one because, if nothing else, celebrating for a week simply allows people to say that culture is here and it's important—if nothing else. To the member from Stoney Creek, as you speak so beautifully about the arts today, I want to ask you about your government's commitment to the arts, because when I look at the budget—this is yours, not mine, not even theirs; it's yours. On page 95, for the cultural folks who are here, this is what it says on the Ministry of Culture in terms of what they were getting and the cuts. They were getting \$454 million, which was an improvement over the past many years when my Conservative friends were in government. They were giving \$454 million in 2005-06; for 2006-07, the period which we are in, it's gone down to \$366 million.

You may not know that—I'm not sure—but Madame Mossop from Stoney Creek, your budget went down from \$454 million to \$366 million. This is a serious, serious cut. How do you justify it? How can you justify close to \$100 million in cuts? I didn't add it all up; I could have. It's close to \$100 million in cuts, and then you come with a bill that says we need to celebrate culture. They are inconsistent, in my humble view.

1130

Where is the minister? Where are all the people who are going to speak today on the issue of culture, in terms of defending culture? Because culture is about investing and it is about putting money in, not taking money out. We can't say culture is great and cut so much money out of the budget. We simply can't do that.

Then we go to the status of the artist legislation that provides income security and access to benefits for artists—because we know that most of these people are poor, income poor. They have no safety or protections whatsoever in the majority of cases. In 2003, you said, "We're going to have status of the artist legislation in two years." We're close to the end of the third year, close to the end of this session. We still do not have status of the artist legislation. How do we defend that? This is a promise you made.

We have close to \$100 million in cuts, we have no status of the artist legislation that you promised, and it's an important one, and we also have announcements—you were there at Palmerston school, one of my schools, and Kathleen Wynne was there, Minister Papatello was there, Minister Di Cocco was there, the Premier was there—who acknowledged me, thank God. I had to thank him for acknowledging me, because usually we don't get acknowledged by the others. But the Premier was there and he acknowledged me, and that was really nice. I have to tell you, for those of you who don't know, and publicly, because I haven't said so before, they announced, lo and behold, \$4 million. They announced it as if it was one of the biggest things that ever could have existed in the history of culture. It's \$4 million in matching funds—matching funds, which means that if a school in north Toronto—as an example, let's say Forest Hill—was able to raise \$30,000, \$40,000 or \$50,000, that

\$4 million coming from two ministries would match it. But if you come from some poor school in my area—let's just pick a school: Montrose—and you could only raise 100 bucks, the government would match that 100 bucks for cultural purposes. The government thinks this is cool and great. Sorry. What they need are music teachers, what they need are arts teachers, not a measly \$4 million that is not going to go very far because most schools can't raise any money. They're already raising for school supplies, let alone having to raise more to be able to get some more culture dollars to be able to buy some instruments or whatever else they need.

So, Madame Mossop, Stoney Creek member, I support your bill, but you and your members and your friends here have to go after your government—your minister, your ministry, your ministers and the Premier—to say, "You've got to reinvest." You can't take \$100 million out of culture and say, "This is great." When I support such a bill, I do so under the condition that you're going to have to get that money back for culture; otherwise, this bill is meaningless.

**Ms. Monique M. Smith (Nipissing):** There are a number of members on the government side who want to speak in support of this bill today, and I certainly want to put my two cents worth in because in North Bay and area we are big supporters of arts education. I'm sorry that the member for Trinity-Spadina wasn't more positive and fun this morning, because this is a positive bill. We want an Arts Education Week. We want to recognize all the good work that's being done.

I remember in grade 6 when we wrote our own play. I remember what it was called. I remember the experience. We were taught so many different life skills through developing that play and putting it on for our parents and families. At St. Joe's high school, which I attended, we put on various plays. We had a great music teacher in Sue Smith. Don McNeil taught us to love Leonard Cohen and taught us that a police song could be a poem. Father J.J. Johnstone taught us that we could have a woman play God in a play. We learned great things through our drama program in high school.

We had fabulous drama programs in the city of North Bay. At Widdifield and Chippewa, they were renowned. They were winners in the Sears Drama Festival every year. Marty Southcott and Art Southcott at Widdifield and Rick Blair at Chippewa did yeoman service and put time and more time into those programs and those students. They produced some of the stars of today: My friend Phil Hughes is in the troupe at Stratford; my friend Blair Williams is at the Shaw; Tamara Bernier, who we knew as Tammy Bernier in her day, played in *Mamma Mia!* in New York City. These are all kids from North Bay who went on to great things in the arts because of the arts education that we had.

Our public school board and our separate school board sponsor drama programs in the summer for students, through Summer Challenge, TOROS and Dreamcoat Fantasy Theatre. We are seeing the future actors of tomorrow. I go to these productions in the summer and I



see the likes of Jack Bowness and Joshua Pride. I see the future actors of tomorrow, and it's just terribly exciting.

I also attended Learning Through the Arts at St. Hubert school last year, a great program, where I saw kids in grade 7 and 8 engaged in Greek mythology by writing their own plays and developing their own ideas. I saw younger children learning about arts and science through drama, through experiential learning. I know that just recently in our community, we've signed on about eight artists, including Liz Lott, to teach in our schools in the Learning Through the Arts program.

Before I finish up my time, I really have to talk about one particular teacher in my community, Betty Farris. She has taught music for 34 years and is retiring next week. She taught at Chippewa for 17 years, and she touched many through her talent and her experience in all the schools that she taught. Every spring there is Maytime Melodies, a great concert that's put on at Chippewa. She's produced a number of musicians that have gone on to musical careers. A couple years ago for Remembrance Day, her orchestra played at Memorial Gardens, and there wasn't a dry eye in Memorial Gardens. She has contributed immensely to the lives of students in our community—in all of our community, the greater community—through the performances that we've all been able to enjoy. I won't be able to attend the Chippewa graduation this year so, sadly, I will miss her final concert. I know there won't be a dry eye in the place. I want to wish Betty Farris all the best in her retirement. I know that her hundreds and hundreds of students join me in doing that, because she is what learning through the arts is all about.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I'm pleased to join the discussion this morning on Bill 118 from the member for Stoney Creek, Ms. Mossop. All of this stuff that's been necessary from the partisan side has been covered by my colleague from Oxford and also the member from Trinity–Spadina, and they haven't really left me enough time to be partisan. So I know the people on the opposite side are going to be disappointed this morning, but I've just got to speak about some things that actually go on in my riding with regard to the arts, which I do support in the strongest possible way.

I want to talk first about the music program at MVDHS. Mark Robbins, the teacher there, is an absolute gem. Both our kids have been in the music program, and I'm going to tell you, it changes them. Mark's approach to music and life changes students, not just from the perspective of music but from the perspective of how they view the world and how they view other people in the world. It is a tremendous program they have there.

I want to talk a little about the South of 60 Arts Centre in Barry's Bay. Curator Anya Blake does a tremendous job of bringing in different types of exhibits. I want to just mention the ones that opened the season this year. One was entitled *A World of Textiles*, the opening display of the year, a display of fabric materials from over 30 countries, which was quite fascinating. I am told, as I did not have the opportunity to see it myself; also,

Barb Blackstein, a local artist who is becoming somewhat famous, and her husband, Fred, who is already famous for the tremendous work he does throughout the county in supporting various important causes.

Currently at the South of 60 Arts Centre, there are the works of Boguslaw Mosielski, who is an artist born in Poland. He had been painting for many, many years and passed away in 2004. It's called Boguslaw Mosielski: A Retrospective. His wife, Elizabeth, is working with the South of 60 Arts Centre to bring that off.

Also, appearing upstairs, is Barney McCaffrey, who is a famous personality throughout the Ottawa Valley, not only as a musician but as an artist, a poet, an activist and an actor. Barney has covered the gamut and lives in the simplest possible way. In fact, a few years back the McCaffreys lost their home to a fire, and the community got together and built them a new home. There was no insurance on that home, but the community around Wilno and Barry's Bay area got together, with the help of Keetch's as the contractor and various other groups, and built them a new home. I know the McCaffreys appreciate that, and it, in only a small way, compares to the contribution that Barney has made to our area.

#### 1140

I also want to talk about the Stone Fence Theatre. When you talk about actors and acting, the Stone Fence Theatre has been around for a number of years and this year they've gone a step beyond. They're going to have all their performances this year at the Killaloe Lions Hall, which is going to be air-conditioned. The last few years they've been having them at Our Lady of Holy Angels parish in Brudenell, which, on those hot, hot, hot summer days, can be a little uncomfortable. I have attended many of these performances and I just have to tell you what a great job Ish Theilheimer, Barry Goldie and the group of actors—I don't think I have time to mention them all—have done over the years with such productions as *Reflections of a Century*, which was a retrospective of the Eganville Leader's first 50 years, as depicted in their book—for the first 100 years, but they only did the first half of it in the play; *Al Capone's Hideout*, which was on last year—fantastic; *Looking Back at Mac* was a story about Mac Beattie, a famous Ottawa Valley musician; and this year they've got *Here to Stay!*, a musical about rural rage and survival by Ish Theilheimer, and it's kind of a sequel to *Reflections of a Century*; *Upstream to Basin Depot*, by Barry Goldie and Lee LaFont—a musical recalling shanty days along the headwaters of the Bonnechere River in Algonquin Park. That should be fantastic. The third new production this year: *Barn Dance!*, produced by Ish Theilheimer, a musical tribute to the stars of old-time Canadian country music. I can tell you it's going to be fantastic when I look at some of the people who are going to be performing there, including Louis Schryer, who is a world-champion fiddler. He's going to be performing there this year. So I want to tell you, there's lots of stuff with regard to the arts that goes on in my riding of Renfrew–Nipissing–Pembroke. There are some fantastic people.



I will agree with the member from Trinity–Spadina that—I didn't catch every word, but something to the effect that these people "ain't doing it for the money," like they say; they're doing it because they love what they do and they love what it means to the people out there who have the privilege and the pleasure of being able to partake in what they offer at their performances.

I wish I had become a lot more tuned in to the arts when I was in school. My children are much more interested in that than I was. Unfortunately, I can't tell you what I was more interested in, because that might be unparliamentary. However, I wish I had spent more time in the arts when I was a little younger, to gain an appreciation at a younger age. I am learning that as I speak, and I want to thank all of those people who do make that dedicated effort to make our lives better by enriching us with the arts.

**Ms. Kathleen O. Wynne (Don Valley West):** I'm happy to support Bill 118. The member for Stoney Creek is a sincere and diligent—persistent, even—advocate of arts and education. She has done a terrific job in our government promoting this issue.

What I want to say is that she's not alone as a representative of the Ministry of Culture, along with her minister. The education ministry is a partner in promoting arts and education.

I want to speak to some of the comments that the member for Trinity–Spadina made, and I want to acknowledge him, not for his uncharacteristically negative comments this morning, but for his role as a school trustee on the former Toronto Board of Education. He was a school trustee at a time when arts education flourished in this city, and in fact there were many models that have been looked at and have been copied across the province that were developed in the city of Toronto.

I have to say, the member for Oxford, when he was talking about what we were or were not doing—it was a little rich, from this side of the House, to be listening to his voice on this subject now, quoting from People for Education, who have developed a tracking document that I was part of developing, when he was in office and I sat in that gallery and I didn't hear the member for Oxford talking about the benefits of arts and education at that time. I didn't hear his leader, who was in the private sector at that time, bemoaning the fact that we were having, in this province, to cut teachers; we were removing funding for education across this province; instruments were going unremedied; instruments were not being bought; we didn't have itinerant teachers; we didn't have music specialists in our classrooms. That was result of the previous government's legacy.

What we're trying desperately to do now—the Minister of Culture and the Minister of Education—is build back the supports that were taken out of the system during that period. In the last two years, we have invested in specialist teachers. Over the four years, there will be 2,000 more specialist teachers back into the system. That's the systemic approach to delivering arts in the curriculum.

There are things that we can do in conjunction with the Minister of Culture, and some of the people here today come in from the outside and they deliver terrific programs in the schools, but we have to have those building blocks as part of the curriculum, and the curriculum is there. But we need the teachers to deliver the curriculum so that they can benefit from all the wonderful programs that people from the outside bring in. Those specialist teachers who are going back into the system as a result of our government's investments are the critical systemic approaches that have to be in place, and we will continue to do that.

Finally, two things, quickly: I wouldn't be here if it weren't for arts and education. My mother was born in Nassau, Bahamas. She was sent up to school here, and she was an orphan. The thing that kept her going was music in her school. She went on to the Royal Conservatory, became a singer, and that was what kept her interest. I think we have to be very careful not to make arguments about how music helps math and that's why we should teach music. Yes, learning music helps you when you learn math, but maybe it's the other way around. Maybe learning math helps us to understand music, and we need to turn that paradigm on its head.

Finally, I want to quote Winston Churchill during World War II. He was resisting calls for cuts to the arts spending with the words, "God, no. What the hell have we been fighting for?"

**Mr. John Wilkinson (Perth–Middlesex):** I want to commend all the speakers for entering into this rather vigorous debate. As the MPP for Perth–Middlesex, and representing my hometown of Stratford, I can tell you that the arts are integral to our community. I think we are the cultural capital of this province, and it's not just because of the Stratford Festival.

But when I look at all of the wonderful actors who now grace the stage of the Stratford Festival, they are Canadian. Though over 50 years ago, there were many people who came over from England to help start our festival, it has formed the basis of an amazing theatrical revolution in this country of ours, of Canada, where we have created our own talent.

The thing that has made that happen, I think, is the fact the festival has always understood the need for us to create, to invent our new audiences. I want to particularly thank Pat Quigley at the Stratford Festival, and the education department. They've worked so hard with all our school boards despite the travails we had to face in some years when the arts were denigrated in this province. The Stratford Festival, our boards of education and our teachers have worked together to make that unique experience, that place where our children discover a new part of their humanity.

I'm so happy that our children are visiting today from one of the schools in Ontario, because this debate is about your future and about what type of society we are going to have. I'm proud to be part of a government that is re-engaging with our arts community, to say that they are valued, that they are part, that we are ensuring that is part of our curriculum.



I want to thank my friend the member for Stoney Creek, who is the parliamentary assistant to the Minister of Culture, for her passion about the need to make arts and education the same thing. What are we teaching our children if we are not teaching them about their humanity? And what greater way is there for them to understand their humanity than through the arts?

**Mr. Dave Levac (Brant):** A wonderful opportunity, to speak to Bill 118. I just preface: As an educator for 25 years, a principal in my last few years, I can attest to the extreme importance of the arts in a child's education. But I also want to make sure that this point is understood: It's not just about children. It's about the adults who are surrounding the children. It's about the adults who model for our children. The arts are, and the arts always will be, who we are as human beings.

I don't think there is any argument around the House, and I will make it very clear that these will not be partisan comments.

1150

I want to talk about what my experience has been as an educator. What are the arts? The arts are learning and creating through and about the arts. The arts are introduced in specific subject matter into the school curriculum—that's one area—but what's important is that the arts are also used to teach curriculum and apply to the whole person, to the whole child, to the whole spirit of who a person is. If you do not have the arts in you as a human being, you don't have a whole human being.

That's the essence of what we're trying to celebrate, and if you understand that celebration, that's what this bill is going to give us an opportunity to do: to focus on what that celebration is, on who we are as human beings. So I laud the member, I appreciate the member and I say to the member, thank you for making us celebrate for at least a week who we are as a whole human being.

There are empirical reasons, and I know they've been spoken of. There's a link between arts education and general academic success, specifically in literacy and numeracy. This was an empirical study: Students scored significantly higher—11% higher—in computation and estimation after three years of sustained art programs in schools that were compared to control school studies. That's evidence; that's empirical evidence. That's telling us who we are as a whole human being.

Standardized test scores over five years for students in the arts program rose 49% in mathematics, 63% in reading and 39% in writing. This kind of comment is for those people who want to calculate—left-side brain/right-side brain stuff. So if you're a person who wants to use that calculated side, this is what the arts does for that side of the brain: It makes us a whole person. To remove the arts in any way, shape or form from who we are as human beings is tantamount to criminal. It's not an acknowledgement of who we are as human beings.

By the way, it is very clear—there have been studies done in the business world of top executives, of the type of people they want in their upper and middle management, and do you know the first thing they said? A liberal arts education. That's who they want.

**Interjection:** A Liberal.

**Mr. Levac:** They want a liberal arts education—no, no, no. Non-partisan, a small-l liberal arts education. And why? Because they're critical thinkers. They're analytical in their mind. They feed both the left brain and the right brain, and you get the whole person. What can you do but be more successful when you use the entire, whole person in making your decisions in the business world? That's who they said they want—people who provide a liberal arts basic foundation in their education. Only then do you move on to the other disciplines. But they want people with arts.

It's a challenge to all of us. It's not just in the schools. It's about who we are in our communities. There isn't a member in here who hasn't stood up at any time, during my time here, who hasn't bragged and told us about the good things that are happening in their communities involving the arts. This tells us again that this type of bill is asking us to celebrate, focus and celebrate again who we are in the arts. It's a challenge.

In private members' time I've stood in this place time and time again and said, "This isn't about partisan politics; it's about finding the best in who we are as people. It's about finding the best possible legislation that we can to make this a better place." And what better way to do that than to celebrate what the arts are in making us a whole person?

It is a challenge; it will be a challenge for every single government of the day. Not Liberal, not Conservative, not NDP, nor any other party, but who the government of the day is collectively, both sides of the House, of who we want to be as human beings. Do we want to be seen as understanding who we are as a whole person, or do we want to say we can fragment it all and put it into silos? I say no. I say support the bill.

**The Deputy Speaker:** Ms. Mossop, you have two minutes to respond.

**Ms. Mossop:** I want to thank the members from Oxford, Trinity-Spadina, Renfrew-Nipissing-Pembroke, Don Valley West, Perth-Middlesex and Brant for speaking in support of this bill. You have to wonder sometimes, though, why you do these things when you get that big push back. You know it's going to happen. It doesn't matter what you try to do in here, you're going to get that political push back, and I didn't want to go there. But let's face it: The arts were starved into near non-existence in our schools under your government. And you, sir, thank you very much for the things that you bring up. I agree with you; the Minister of Culture in many jurisdictions is a bigwig. Not here in North America, not very often. If I were king, I would make it different. I would agree with you on that.

I have to say, though, that I am proud of what our government has done: \$146 million a year to restore specialist teachers in our schools over four years, up to 2,000. We're rebuilding. We have introduced legislation to have alternative diplomas in our secondary schools, one of which will likely be an arts diploma. We have success teachers. All the studies show that smaller class



sizes are necessary. We do have to incorporate that. We have put learning through the arts back into the schools and we continue that program. We have Artsaround, a new program that we have funded as a pilot. We have arts education, which we're tweaking through the Trillium Foundation, adding some in that area as well.

The arts education partnership initiative was referenced. This is a matching program, but this is how we get the cultural organizations to come to the table and get into the schools. As well, we have Arts Education Week, which has been subversively timed by me, so that these organizations have an invitation to go to the school boards, who make a lot of the decisions about how our money is spent, at the beginning of the school year and say, "Let's talk arts ed. Let's talk now," and get ready for arts ed week in October and then do a celebration during Education Week in May.

It's a little subversive maybe, but I think it's well worth it because we need the cultural organizations and we need the artists in the schools because they are the fire that ignites the spark. Thank you.

**The Deputy Speaker:** The time for private members' public business has expired.

#### HEALTH CARE FUNDING

**The Deputy Speaker (Mr. Bruce Crozier):** We'll deal first with ballot item number 43, standing in the name of Mrs. Elliott.

Mrs. Elliott has moved private members' notice of motion number 19.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it. The motion is lost.

#### ARTS EDUCATION WEEK ACT, 2006

##### LOI DE 2006 SUR LA SEMAINE DE L'ÉDUCATION ARTISTIQUE

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 44 standing in the name of Ms. Mossop.

Ms. Mossop has moved second reading of Bill 118.

*Interjection.*

**The Deputy Speaker:** I've got control of this. Don't worry.

Is it the pleasure of the House that the motion carry?  
Carried.

**Ms. Jennifer F. Mossop (Stoney Creek):** I would ask that Bill 118 be referred to the standing committee on social policy.

**The Deputy Speaker:** Agreed? Agreed.

All matters dealing with private members' public business having been dealt with, I do now leave the chair, and the House will resume at 1:30 of the clock.

*The House recessed from 1158 to 1330.*

## MEMBERS' STATEMENTS

### FIESTA WEEK

**Mr. Jerry J. Ouellette (Oshawa):** This Sunday, June 18, Father's Day, the community of Oshawa will kick off its 34th annual cultural festival known as Fiesta Week with a parade of floats and marching bands, followed by the fiesta concert and six days of international pavilion displays.

Fiesta Week is best described as a taste of Durham, a week-long multicultural celebration that gives residents of the region an opportunity to experience European, Asian and Caribbean cultures and foods without leaving our hometown. Fiesta Week brings the people of Oshawa together to celebrate and appreciate our city's rich multicultural heritage. It provides thousands and thousands of people with an occasion to examine our community's diverse culinary, dancing and musical talents from a wide variety of ethnic backgrounds. Various cultural communities in Oshawa operate pavilions highlighting their respective cultures across the city, including Lviv, Dnipro, Odessa, Roma, Club Carib, Loreley, Belgrade, Budapest, Krakow, Greek, Portuguese, Philippines and Poznan, to name but a few.

The Oshawa Folk Arts Council is a voluntary, non-profit community organization that oversees all aspects of the annual Fiesta Week festivities. I would like to personally thank and congratulate all the dedicated volunteers with the Oshawa Folk Arts Council, who work diligently throughout the year to make Fiesta Week the great success it is. I would also like to thank all the wonderful members of the various cultural organizations for the many hours they contribute towards Fiesta Week. Finally, I wish to invite all members of the House and everyone in Ontario to visit Oshawa and participate in one of Ontario's premier summer festivals, Fiesta Week.

### RIDING OF STORMONT-DUNDAS- CHARLOTTENBURGH

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** It is my privilege to serve the riding of Stormont-Dundas-Charlottenburgh as it begins a renaissance that is transforming for the better all aspects of its community: health care, infrastructure, access, you name it. In conjunction with community leaders and indeed all the residents of the riding, this government has been working to address all the issues neglected by previous governments.

Since January, I have made numerous statements here in this House concerning the issues of my riding and asked some 10 questions about how this government is addressing those issues. The results of all this advocacy are apparent in what has been done, with incredibly beneficial funding announcements and construction on such projects as the St. Joseph's Continuing Care Centre in Cornwall. It is evident in what is to come with the soon-

to-commence repairs to the walls surrounding the St. Andrew's cemetery, burial place of Ontario's first Premier, John Sandfield Macdonald. Just today, it was great news when the Minister of Agriculture gave support to the Seaway Grain Processors in my riding of \$6 million for the construction of their plant.

There is more good news in store for my riding, and I certainly look forward to being the bearer of this news over the coming months. On behalf of my constituents, I know I send a sincere thank you to Premier Dalton McGuinty for his visionary leadership and all the cabinet ministers who have made a dedication and a commitment to my riding of Stormont-Dundas-Charlottenburgh.

#### ASSISTANCE TO FARMERS

**Mr. Ted Arnott (Waterloo-Wellington):** Two and a half months ago, I wrote the Premier an open letter to tell him that his provincial budget failed to provide the level of support for agriculture that is necessary to sustain it. Today, it appears that the Premier is still indifferent to the plight of Ontario's farm families.

Through this year's Waterloo-Wellington questionnaire, I've surveyed my constituents, and hundreds of them gave me advice on agriculture. Here are the responses. They've said that the government needs to start listening, understanding and supporting our farm families. How can the McGuinty Liberal government continue to ignore 25-year-low commodity prices, increased regulatory burdens, heavier compliance costs, rising input costs and the devastating loss of equity because of the US border being closed to Canadian beef?

Last week, the Ontario Cattlemen's Association joined us here at Queen's Park, making their case to MPPs. I had a follow-up meeting in my constituency office with this group on Friday. The cattlemen's association appreciate the federal government's effort to get on side and be supportive through changes to the Canadian agriculture income support program. Now they're rightly asking when the provincial government will commit to matching the federal announcement in the traditional 60-40 cost-sharing formula. They've also asked the Minister of Agriculture to support compensation for the loss incurred when selling cull cows, similar to the support enjoyed by Quebec farmers.

My constituents want this provincial government to wake up and get behind our farm families in this time of urgency.

#### HAMILTON GAY PRIDE WEEK

**Ms. Andrea Horwath (Hamilton East):** I rise this afternoon in recognition of the 10th annual Hamilton Pride Festival. As a downtown city councillor when I was there, I was very proud to have supported pride in its early days. Despite the setbacks encountered over the years, some fairly recent and painful, the LGBT community is a strong and significant part of Hamilton. Kicking off last Sunday with the raising of the rainbow flag at city hall, celebrations continue tonight at the third

annual gala pride awards. I want to congratulate the recipients of the 2006 pride business, citizen, group and youth of the year awards. I will be celebrating with you at Saturday's parade.

Pride in Hamilton and around the world centres on the fight for equality for the LGBT community. Despite same-sex marriage finally being legal in Canada, it's still under threat. Homophobia and heterosexism still exist. We all need to be educated not just on tolerance but acceptance of the LGBT community.

I say to the community in Hamilton, you are leaders in the movement for full and real equality. Pride week celebrates you and the contributions you've made to our community, and those contributions are many. I am very, very proud, as an elected representative, to call you my neighbours, my friends and my allies. Today I wanted to take the opportunity to make sure in this Legislature I could congratulate all of the activists in the LGBT community in Hamilton on pride day. Congratulations on 10 successful years of pride in Hamilton.

#### DEFIBRILLATION LEGISLATION

**Mr. Bruce Crozier (Essex):** Speaker, you and my colleagues in this House would know that just recently my private member's Bill 71 received second reading and is now in committee. That's the Heart Defibrillator Use Civil Liability Act, 2006.

Since that time, I have met with a lovely couple, a very strong couple, by the name of John and Dorothy McEachern. They were the parents of an 11-year-old boy from Barrie who had a heart that was so big that when he heard of the use of defibrillators in arenas and how they can save lives, he wrote to Don Cherry and asked Don's help to promote the use of defibrillators. Since that time, young Chase has died. So I'm proposing, and will propose when this bill comes before committee, a motion that will change the name of the bill to the Chase McEachern Heart Defibrillator Use Civil Liability Act, 2006. I hope the House leaders, I hope the members of the committee and in fact this whole Legislature will support the bill and will support the bill that is in Chase's name. I would appreciate that support.

#### FABRY'S DISEASE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** It was almost three years ago, in the fall of 2003, that I wrote my first letter to Health Minister George Smitherman regarding treatment for Fabry's disease on behalf of Donna Strauss, whose husband, John, was suffering from the disease. Since then, I have risen in this House on at least 17 occasions to call on the minister to act to provide life-saving treatment for those with Fabry's, without any action from the minister to do so, despite the fact that 30 other countries in the world, including the United States, were doing so.

Finally, yesterday an announcement from federal Health Minister Tony Clement told us that the federal



government would be participating with the provincial and territorial governments and the drug companies for a study of the disease, to allow those with Fabry's disease to gain access to treatment.

Today I want to congratulate the patients, their families and all the others throughout the province of Ontario who have worked so diligently and sent so many letters to the Minister of Health to gain funding for the treatment of Fabry's, brave people such as Donna, Julia and Lee Strauss, Darren Nesbitt, Rick Sgroi, Carolyn Augur and Bill Taylor. These people are our heroes. It has been a long road for them. I was honoured to work with them to bring provincial and federal pressure and attention to this issue.

1340

### HOSPITAL FUNDING

**Mr. John Wilkinson (Perth–Middlesex):** I rise today to announce with pride multi-year funding for Listowel Memorial Hospital in my riding of Perth–Middlesex. Listowel Memorial serves the community of North Perth in my riding, but also some communities in the townships of Mapleton and Minto, just outside of Perth–Middlesex.

For the second time in the province's history, every Ontario hospital will now know how much it's getting over the next three years instead of just one. For the next three years, Listowel Memorial can count on more than \$1 million in additional funding. The hospital will receive some \$542,000 additional in this fiscal year, \$275,000 in the next, and \$273,000 in the year after that.

Margret Comack, the CEO of Listowel Memorial, was pleased with the three-year commitment and the ability for the hospital to predict and plan for health care programs more effectively over time. That's exactly why we're doing it. It's only reasonable that hospitals have a predictable source of income for the near future, yet past governments did not commit to stable funding over multiple years. Our multi-year approach allows hospitals to make informed, sustainable decisions to meet the needs of their communities and their patients. Multi-year funding is just the latest investment in hospitals across the whole province.

I also had a chance to see first-hand the redevelopment construction underway at Listowel Memorial. It's great to watch the province's \$7.8-million investment in this much-needed project moving forward on budget. These are just some of the latest examples of the McGuinty government's commitment to building a health system that keeps rural Ontarians healthy, reducing wait times and providing better access—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### HEALTH CARE FUNDING

**Ms. Kathleen O. Wynne (Don Valley West):** I rise to share some really important news for Ontario health

care professionals and, more to the point, the people of Ontario and their families.

Yesterday the McGuinty government announced an investment of over \$20 million in expanded team-based education programs for a wide array of health professionals. In the past, that kind of government support has only been available to our doctors and nurses, but with this \$20-million investment, Ontario is now providing expanded education and support to other health professionals such as physiotherapists, lab technologists and occupational therapists. In fact, we're supporting a wider range of health care professionals than any other province in the country.

Here's what this means to Ontario families: It means that when we, our children or our parents get sick and need care, all the health professionals attending to us will be better trained to work as a team and able to provide more comprehensive care.

While the McGuinty government is focused on providing top-quality health care for Ontario families, the Conservative Party has another plan for our health system. John Tory has already given us a preview of that plan: He swore to cut \$2.5 billion from Ontario's health care budget. That can't be done and maintain high-quality health care. We are building circles of care with patients at the centre.

### MUNICIPAL FINANCES

**Mr. Lou Rinaldi (Northumberland):** On June 9, the Eastern Ontario Wardens' Caucus held their semi-annual joint session in the town of Blue Mountains. Wardens met to discuss questions of mutual concern. I understand that the Leader of the Opposition, John Tory, attended part of the meeting and spoke to the group.

Among the topics discussed was equalization. Here is what Renfrew county warden and Eastern Ontario Wardens' Caucus chair Bob Sweet had to say about this government's leadership on the issue: "The Premier's drive to get a fair and reasonable deal on equalization, one that will address the fiscal imbalance, has our whole-hearted support."

Mr. Sweet and his fellow wardens realize that fixing the fiscal imbalance between Ottawa and Queen's Park will certainly have a positive impact on municipalities in our province.

This government values and respects our municipal partners. We are unwavering in our position on equalization because we know that added resources are needed to address many pressing concerns in communities throughout the province.

I am pleased that wardens in my region recognize this reality and have expressed their support for the Premier's continued efforts to get a fair deal for Ontario.

I meet with these wardens on a regular basis, and I fully support what they are trying to do. We are trying to achieve that balance, with ambulance funding and with public health uploading—something they never got in the past.

## VISITOR

**Mr. Brad Duguid (Scarborough Centre):** On a point of order, Mr. Speaker: I would like members to welcome to the government gallery a friend of mine, and one of Canada's leading recording artists and actors. Maestro Fresh Wes Williams is here to watch what we are doing today.

## INTRODUCTION OF BILLS

MUNICIPAL STATUTE LAW  
AMENDMENT ACT, 2006LOI DE 2006 MODIFIANT DES LOIS  
CONCERNANT LES MUNICIPALITÉS

Mr. Gerretsen moved first reading of the following bill:

Bill 130, An Act to amend various Acts in relation to municipalities / Projet de loi 130, Loi modifiant diverses lois en ce qui concerne les municipalités.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The minister may wish to make a brief statement.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** I will make the statement during ministerial statements, Speaker. Thank you.

MASTER'S COLLEGE AND  
SEMINARY ACT, 2006

Mr. Delaney moved first reading of the following bill:

Bill Pr28, An Act respecting Master's College and Seminary.

**The Speaker (Hon. Michael A. Brown):** Shall the motion carry? Carried.

The bill is therefore referred to the standing committee on regulations and private bills.

STATEMENTS BY THE MINISTRY  
AND RESPONSESMUNICIPAL GOVERNMENT  
LEGISLATION

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** Today I'm pleased to introduce the proposed Municipal Statute Law Amendment Act, 2006. This is the McGuinty government's latest initiative to support the fine and excellent work of local governments across Ontario. Our goal is to give municipal governments the respect they deserve and the tools and instruments they need to meet the challenges of today's competitive economy.

We want to enable municipal governments to become more accountable, responsible partners with the provincial and federal governments for years to come. The proposed Municipal Statute Law Amendment Act, 2006, contains our government's proposed amendments to the Municipal Act.

We worked with our municipal partners to identify the legislative reforms that could provide local governments with more tools and greater flexibility to creatively serve their residents. During the review of the Municipal Act, the Association of Municipalities of Ontario told us, and we agree, that "if the municipal role is to evolve in the years ahead ... that if Ontario municipalities are going to deliver on behalf their communities ... then they need greater responsibility, greater authority and greater accountability."

## 1350

Our government has been taking progressive steps, including the Stronger City of Toronto for a Stronger Ontario Act, 2006, to provide municipalities with the tools and flexibility they need to more effectively serve their residents. Rather than being prescriptive, as some of the present act still is, we are proposing that the act give broad, permissive powers that would let local councils have more control over their destiny and the destiny of their residents.

Let me give you some examples of the possibilities of these broad powers. If our proposed legislation were passed, a municipality would have the flexibility to pass bylaws regarding matters ranging from public safety to the municipality's economic, social and environmental well-being. A council would have more flexibility to pass bylaws to deal with the financial management of the municipality, its accountability and the transparency of its operations. A municipality could better protect its affordable housing stock by passing bylaws to control the demolition of rental housing or its conversion to condominiums. A municipality would have broader authority to undertake economic development so as to become more competitive and its citizens more prosperous.

We want all Ontarians—in our north, in our rural communities and in our urban centres—to live in and enjoy thriving communities where they can look forward to a promising future. One of the steps in our government's plan to attain that goal is to make sure that our municipal partners have the flexibility and broad powers they need.

However, while we recognize the need for local councils to have broad powers, I want to assure my fellow members of this Legislature that the laws we pass here in this House will continue to apply to municipalities. Certainly, Ontario municipalities would have more power to control their own destinies if the proposed legislation is passed, but within the framework of all other provincial legislation. If a municipal bylaw conflicts with a specific provincial law, of course provincial legislation will take precedence.

Our proposed amendments would enable municipal councils to have more flexibility to delegate powers and responsibilities to committees, to boards and to staff. The



proposed amendments would also enable a strengthened accountability framework. If the bill were passed, a council would have the flexibility to pass bylaws to deal with the financial management of the municipality, its accountability and the transparency of its operations.

Our government has taken important steps to assist Ontario municipalities to fund the services they provide, and we will continue to work in partnership with them to meet future challenges. For example, in the 2006 provincial budget we made the strategic and prudent choice to work with municipalities and invest additional revenue this year in transportation infrastructure of this province. We are investing \$1.2 billion in public transit systems and municipal roads and bridges. That's enough money to repair up to 800 bridges and to resurface over 3,000 kilometres of road. We've enhanced the Ontario municipal partnership fund to \$763 million, up from \$707 million, so as to address the high municipal social program costs relative to residents' household income. When you compare this year's figure to what was paid under the former government's CRF program the year we took office, it is about \$150 million more than three years ago. The McGuinty government's OSIFA program is providing more than 190 municipalities with access to \$2.4 billion of low-cost infrastructure financing.

By October of this year, our government will have fulfilled our commitment to provide two cents of the provincial gas tax each year to municipalities. Over five years, this program will deliver more than \$1.4 billion for public transit in Ontario municipalities.

A significant move by this government in supporting municipalities was stepping aside to let them negotiate directly with the federal government for the transfer of more than \$1.8 billion worth of federal gas tax revenue over five years to Ontario municipalities for infrastructure funding.

Recently, our government announced an investment of more than \$50 million to strengthen land ambulance services in communities across the province. This is only the first instalment of the \$300 million in additional funding we have committed over the next three years to achieve a true 50-50 funding share of municipal land ambulance services by the year 2008.

We increased the provincial share of funding for public health units to 65% in January of this year. This is part of a series of stepped-up increases to move the government's share of provincial public health funding to 75% by 2007.

We are providing \$301 million over the next four years for affordable housing. Over the life of the affordable housing program agreement, federal, provincial and municipal governments are investing a total of \$734 million.

I know the members opposite totally agree with this approach.

In partnership with the federal government, we are using the COMRIF program to provide municipalities with \$298 million over five years so that rural municipalities can improve their water and sewage treatment

and waste management facilities, and fix local roads and bridges.

Certainly, Ontario municipalities will have more power to control their own destinies if the proposed legislation passes, but within the framework of other provincial legislation. Our proposed legislation backs up our often-stated assertion that municipalities are "mature, responsible and accountable governments" that know what is best for their local communities and act in the best interest of their residents.

If our proposed legislation is passed, our municipal partners will be able to work even more effectively for their electorates, for the working families they represent. Municipalities can be even more effective in the admirable work they do to keep Ontario's communities strong and vibrant places in which to live and work, now and in the future.

**The Speaker (Hon. Michael A. Brown):** Statements by the ministry? The Minister of Tourism.

#### VISITOR

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Before I commence my remarks, I would like to have members join me in welcoming to the west members gallery Deb Hutton, the wife of Tim Hudak, MPP for Erie-Lincoln, and a well-known whiz kid in years gone by.

#### WORLD ELDER ABUSE AWARENESS DAY

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Today, the province of Ontario is joining other jurisdictions across Canada and around the world to recognize June 15 as the first World Elder Abuse Awareness Day.

I know that there is a broad commitment in this Legislature to eliminating elder abuse in Ontario. World Elder Abuse Awareness Day serves to remind all of us that this form of abuse is a daily reality for far too many older adults across the province. It is estimated that of Ontario's 1.6 million seniors, between 64,000 to 160,000 of them have experienced, or will experience, some form of abuse: financial, emotional or physical.

As Ontario's seniors population continues to grow, the need for positive action in our communities and across the province becomes more critical and more urgent. Ontario is playing a leadership role in helping to end elder abuse. Ontario was the first province in Canada to introduce a strategy to address this issue. Ontario's five-year, \$4.3-million strategy to combat elder abuse addresses three key priorities: greater coordination of community services, more training for front line staff who work with seniors, and broad public education and awareness building.

In 2004, Ontario was the first province to set aside a special day as Elder Abuse Awareness Day. At that time,



the Ministry of the Attorney General expanded its victim support line. The line allows seniors to get the help they need, speak to trained and qualified counsellors, and be referred to appropriate community services.

Today, we launched three television public service announcements aimed at raising the public's awareness of elder abuse. These PSAs highlight our victim support line, so that more Ontarians who suspect elder abuse will know where to turn for help.

I would like to thank the many organizations and individuals who work tirelessly to eliminate elder abuse across the province. There is no place for elder abuse in Ontario.

It is my hope that World Elder Abuse Awareness Day and other initiatives will continue to heighten our understanding of this issue, our willingness to take action and our shared commitment to the safety and dignity of Ontario's seniors.

1400

### RENEWABLE FUELS

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I rise today to deliver good news for Ontario farmers, good news for agriculture, good news for the economy of rural Ontario and good news for the air every Ontarian breathes. This government is firmly on the side of families and farmers in rural Ontario. That is why we support the production of ethanol, which contributes to a cleaner environment, healthier Ontarians and stronger, more prosperous rural communities.

Building a domestic ethanol industry in rural Ontario is important for a number of reasons. It will help encourage additional private sector investments of up to \$500 million in rural communities. It will create as many as 400 permanent jobs. Most important, building a domestic ethanol industry will expand an emerging market for Ontario's corn producers.

Ethanol is all about our health and the health of our children. It will reduce greenhouse gas emissions by helping Ontario to do its part to address global warming. The renewable fuel standard, which was introduced by this government, will reduce emissions by an amount equivalent to taking 200,000 cars off our roads. It will improve the air that we breathe.

The McGuinty government has taken the lead in promoting biofuel development. In 2004, our government took the first step by introducing a renewable fuel standard. Next, we created the \$520-million ethanol growth fund to help us meet that standard with ethanol being produced right here in Ontario.

Today, we took the next step toward building an ethanol industry in Ontario. This morning in Aylmer, I announced that under the ethanol growth fund, the McGuinty government will provide \$32.5 million in capital assistance toward the construction of three new ethanol plants. Those plants will be located in Cornwall, in Hensall and in Aylmer. Once in production, these

facilities, along with two other ethanol plants in Chatham and Collingwood, will be eligible for up to \$60 million in annual operating grants. This investment is part of our government's long-term vision for Ontario's agriculture industry. It is a tangible demonstration of our commitment to rural communities and the environment. We are helping farmers by expanding agriculture's role, bringing alternative, renewable fuels into mainstream use by our society.

Today's announcement is about helping our rural communities thrive and helping our grain and oilseed sector prosper with new uses for their crop.

Ontario's farmers are the best in the world, not just because of the crops they grow but because of their ideas and their innovations. I want to give credit to the innovative thinkers in Ontario's agriculture sector who are helping us expand ethanol production. This province is home to some of the brightest leaders in industry, science and agriculture. Together, we are bringing renewable fuels to the mainstream in our society. Today's announcement demonstrates that the McGuinty government is there to support their efforts.

Today's announcement places Ontario as the leader in Canada for ethanol production. The federal government recently announced a target of 5% ethanol in gasoline by 2010. That's fully three years after Ontario reaches the very same goal. When it comes to the environment, this government is taking the lead.

I want to conclude by congratulating all of the successful applicants under the ethanol growth fund. They would be Integrated Grain Processors Co-operative, Seaway Grain Processors Inc., Blackstone Energy Services Inc., and Commercial Alcohols Inc. The McGuinty government is proud to support these leaders in the agri-food sector. We are proud of the support that we've received in rural Ontario. We know that it will contribute to the health of all Ontarians. Today's announcement demonstrates our support of that.

**The Speaker (Hon. Michael A. Brown):** Responses?

### MUNICIPAL GOVERNMENT LEGISLATION

**Mr. Ernie Hardeman (Oxford):** I just want a few words in response to the Minister of Municipal Affairs with the introduction of the amendments to the Municipal Act. I want to thank him for bringing forward those amendments. Obviously the municipalities and the opposition have been waiting for some time. Many months ago, we were told that the Municipal Act would be reformed at the same time as the new City of Toronto Act was going to be introduced. We were then told that no, that wasn't going to happen, because we were going to have a City of Toronto Act and we would see how that worked, and then we would have a Municipal Act to emulate what was in the City of Toronto Act that would deal with the rest of the province.

As we all know, the City of Toronto Act was passed this week. Now we have the Municipal Act. What is



interesting is what the minister didn't say in the introduction, which is that the ability to increase taxes will not be afforded to the other municipalities in the province; it will only apply to the city of Toronto. I think that's interesting, because that is what we heard during the review of the City of Toronto Act: that taxing authority should not be allowed or sent down to municipalities. In fact, the minister has listened. We commend the minister for listening to us, seeing that it was wrong for Toronto and it's wrong for the rest of the province. We thank him for that.

There are a couple of other things. I think the minister mentioned the issue about responsibility and accountability. The municipalities already have the ability to be accountable, and they are accountable. In terms of responsibility, I have yet to find one municipality in the province of Ontario that says they want greater responsibility. They think they are looking after too many of the provincial responsibilities today.

#### WORLD ELDER ABUSE AWARENESS DAY

**Mr. Cameron Jackson (Burlington):** I would like to join all members of the House and join the minister for seniors in acknowledging world elder abuse day. It strikes me as odd that we've never once had the government acknowledge the work of Dr. Elizabeth Podnieks. The reason I want that on the record is that she was the vital link in this province to help, when I was the minister, to develop the first elder abuse strategy in North America. She took that strategy, approved by this Parliament, to Madrid, Spain, for the United Nations international conference on protecting adults. She received a standing ovation, and it was her resolution that called for a world day in recognition of elder abuse. So every year when I have occasion to stand on this occasion, I continue to pay tribute to this outstanding, seasoned citizen who has done so much for our country and globally on abuse awareness. Dr. Podnieks has received the Order of Canada and various other accolades. She is a woman from Toronto who has done immense work.

I support the government for extending the program that was started by the previous government. They haven't increased more money, but at least you're funding at the same amount that we were, and we commend you for that.

#### RENEWABLE FUELS

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** I'm pleased to respond to the announcement by the Minister of Agriculture and Rural Affairs. Minister, again this is another McGuinty Liberal announcement that we're all supposed to jump up and be thrilled about. Three years into their mandate, they're finally making some kind of announcement, because for three years they were missing in action. Missing in action, three years

since the election. It has been a big story for them since their election, it was a big election commitment, but only now, after people like Mayor Terry Geddes in Collingwood has chastised them for sitting on their hands and doing nothing about this, and my colleague Jim Wilson from Simcoe-Grey as well, they are finally pressed into some kind of action on this. They've been embarrassed by the federal government because their commitments were far earlier in coming.

Now they've set some targets. Well, this government has a wonderful, wonderful ability to set targets; it's very, very poor when it starts to have to shoot for those targets. Case in point is their coal promise here in the province of Ontario: "It's on, come hell or high water." "No, no, no, we're not going to quite make it." "Oh, we're not going to make it at all."

The people in this province don't believe anything you say anymore. There is nothing that you people can say to the people of Ontario that they're going to believe anymore. In fact, in the real world, if someone set targets and missed them as often as this government does, as I suspect they'll miss another one, they would be out of a job. On October 4, 2007, you're up for an interview. My bet is, you're out of a job.

1410

**Mr. Howard Hampton (Kenora-Rainy River):** I want to respond to the Minister of Agriculture, who wants to claim that she's doing something wonderful for Ontario farmers today. The truth is, the McGuinty government is doing something wonderful for American farmers. We all know—because I've met with grain and oilseed farmers—that most of the corn that is going into the McGuinty ethanol plants is subsidized American corn from Michigan, from Ohio, from Iowa, from Nebraska. In fact, grain and oilseed farmers in Ontario have to watch as the trucks go by their door bringing the corn from the United States to the ethanol plants that the McGuinty government is subsidizing.

I'll tell you who will be happy about this: George Bush will be happy about this. Dalton McGuinty is helping him subsidize American grain and oilseed farmers while Ontario grain and oilseed farmers go out of business. If you really wanted to help Ontario farmers, you would be doing what Manitoba is doing: make it part of the licence of the ethanol plant that they have to buy their product—their corn, their grain, their oilseed—from Ontario farmers.

But no, the McGuinty government is in there with George Bush, helping to subsidize American farmers. And now they want to claim credit for it.

#### MUNICIPAL GOVERNMENT LEGISLATION

**Mr. Michael Prue (Beaches-East York):** In response to the Minister of Municipal Affairs and Housing, I thank him very much for sending me over a package that of course I cannot use: a computer disk. We are not allowed to have computers on our desks, so there it is.



And then he sends me 400 pages to which to respond, 200 in English and 200 in French.

But I have had a chance in the last 15 minutes to look through some of it, and I have to tell you that this bill, long in anticipation, is very short in substance. I've looked through it. I saw what you did for the city of Toronto; we supported what you did for the city of Toronto, although the bill itself was severely flawed in many respects. But we supported it because it did more good than harm. But I will tell you, I expected to see some of the same things for the municipalities in Ontario, which I simply do not see here.

What I do see here, though, and what I heard in your own announcements, is that the heavy hammer of the minister stands ready and poised to make sure that if the municipalities take even one step out of place, you will put them right back where they belong and where you think they belong. I will tell you, if you are really going to say the words that they are mature and responsible forms of government, then you have to give them that kind of respect. I do not see it in this bill at all.

I was rather puzzled and somewhat bemused to see schedule B contained in these 400 pages, because schedule B has a number of clarifications, adjustments and complementary changes to improve the wording of the City of Toronto Act. It's only two days old and you're already amending it. Obviously, you knew you were going to amend it. I can't believe you printed this up this morning, because it's 400 pages long. Even as you were passing it, you knew it wasn't right, and there it is. I see all the amendments that you're making in schedules B and C, and there they are.

But what was really missing and what we always look forward to and all the municipalities really need is a better funding formula. We know that your government stands up on the federal government and talks about a \$23-billion gap. What about the \$3-billion gap between this government and the municipalities in the bill you're passing today? What about the \$3 billion that you take off them in the taxation each and every year? We are the only province in Canada that does that. I'd like to quote the federal government. The federal government noted this situation in the 2004 federal budget, and I quote them: "Spending for social services, health and housing represents a very small share of municipal expenditures in most provinces, except in Ontario where it represents almost a third of total municipal spending." That's what you need to fix, and that's what you're not fixing: \$3.2 billion that are you taking from the municipalities and that you ought not to.

Those are the kinds of things we think should be in this bill. Those are the kinds of things, unfortunately, that you shy away from, the kinds of things that you're not willing to repair, the kinds of things you're not willing to change. That's what a Minister of Municipal Affairs should be doing and should be advocating. We look forward to hearing from the municipalities if what you're giving them was what they want or if what you're giving them is not—

**The Speaker (Hon. Michael A. Brown):** Thank you.

## VISITORS

**The Speaker (Hon. Michael A. Brown):** On a point of order, the member for Brant.

**Mr. Dave Levac (Brant):** Thank you, Speaker, for allowing this. Today, visiting us all the way from Brantford, Ontario, are Mr. and Mrs. Craven, the grandparents of Jared, named in Kevin and Jared's Law. They're out front collecting names for a petition.

## ORAL QUESTIONS

### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds–Grenville):** My question is for the acting Premier. Can you explain to this House, to the people of Caledonia and to front-line OPP officers just why your government is going back to the negotiating table with individuals who are refusing to turn over someone charged with the attempted murder of an OPP constable? Why would you do that?

**Hon. Gerry Phillips (Minister of Government Services):** I refer that question to the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I think the member opposite needs to get his facts straight. He's listening to comments from spokespeople in newspapers. He's listening to innuendo. The facts are that there is a protocol between the Six Nations police and the OPP. The Six Nations police are a police force under the authority of the elected band and council of Six Nations, which is the largest First Nation in Canada, about 22,000 people. It has a professional police force, and it is doing its job and is co-operating with the OPP in pursuit of these offenders.

**Mr. Runciman:** The facts are that Ontario is now operating under the Neville McGuinty rule of law, where persons breaking the law are laying down the terms for thinking about complying with it while they hide those who have broken it with impunity. Minister, how can you expect to achieve a fair resolution to this standoff when you are displaying such incredible weakness?

**Hon. Mr. Ramsay:** I don't think it was weakness when the Premier of Ontario basically called off these negotiations a few days ago because he did not see the progress we were expecting. Since that time, when the Premier asked for those barricades to be down, those barricades have come down. Life is as normal as it can be at the moment in Caledonia. We have land that is still occupied, but we are working on that. As we speak, in fact, the long-term table, with Jane Stewart representing Ontario, is in discussions now. I would hope that the member opposite would be wishing, as I wish, Godspeed to those people so they can progress and solve this peacefully.

**Mr. Runciman:** We've been hearing the same line from that minister for two months now. This past Monday, after 105 days, the longest native land occupation in



Canadian history, Mr. McGuinty did his Arnold Schwarzenegger imitation and laid down two clear and explicit conditions for re-entering negotiations with the occupiers. The very next day, he waved the white flag and headed back to the negotiating table.

From the beginning, the Caledonia lawlessness has been a textbook demonstration of political chaos, confusion and cowardice. Minister, do the right thing and walk away from the negotiating table until those charged with violent lawbreaking are turned over to the police. Will you do that?

**Hon. Mr. Ramsay:** What the Premier asked for and what the Premier received was the co-operation of the Six Nations police force, and that is happening. That professional police force, which polices 22,000 Canadian citizens south of Caledonia on that reserve, is acting as the professional police force that it is. It is doing its job, and it's working in conjunction with the OPP.

#### ONTARIO PROVINCIAL POLICE

**Mr. Tim Hudak (Erie-Lincoln):** A question for the Minister of Community Safety and Correctional Services: Over the last 108 days of the crisis in Caledonia, we have seen some 15 Ontario Provincial Police officers injured. We have seen hundreds of others confronted by thugs, threats and extraordinary violence along the protest lines. I ask the minister, how does a front-line Ontario Provincial Police officer feel when he hears that a fugitive, wanted for the attempted murder of an Ontario Provincial Police officer, remains at large and that Premier McGuinty returned to the bargaining table with the exact same people—a fugitive, Minister, wanted for the attempted murder of an Ontario Provincial Police officer. Please tell me, Minister, that you stood up in cabinet and that you will stand up in the House and tell Premier McGuinty he is just plain wrong.

1420

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** Let's talk about who is just plain wrong. What you have just said is that someone should go in, circumvent the police process and grab somebody. This is the rule of law. Right now, we have a situation where warrants have been issued. There is a recognized professional police service in Six Nations, and they have agreed to co-operate with the OPP. The police are doing their thing without political interference. What you're doing is trying to inject political interference, and that's totally unacceptable.

**Mr. Hudak:** Minister, with all due respect, you are a senior cabinet minister around that table. You are a veteran here in the Ontario Legislative Assembly. Your word carries great weight in the assembly and at the cabinet table. But what have we seen of this minister? We have seen the minister effectively condone a no-go zone for the Ontario Provincial Police. We have seen police officers dragged out of their car, their windows smashed, arrested by protestors, and you don't say a word. Minister, when are you going to stand up for our

hard-working Ontario Provincial Police officers, say that you're behind them, and tell Premier McGuinty that his weak leadership and going back to the table while these fugitives are still at large is just plain wrong?

**Hon. Mr. Kwinter:** Let me tell you the situation we have. The only ability the opposition has to raise questions is what they read in the media. I don't know what they're doing with their research money, but obviously the only thing that ever triggers anything, whether it be John Tory or whether it be the former Solicitor General or whether it be you, is what you read in the paper. I have to say, with all due respect, that a lot of the things that are in the paper do not reflect what is happening on the ground.

We have a situation right now where the provincial police—I have a lot of confidence in them, and they are doing a wonderful job in that area—are working in co-operation. The spokesperson for the chief for the First Nations police service has said that they are co-operating with the OPP, and they're letting the process work. You're trying to circumvent that process, and that is not acceptable.

**Mr. Hudak:** What I want to read in the paper is a minister who is going to stand up and support the Ontario Provincial Police in the province of Ontario. All we're seeing from this minister, a veteran and respected cabinet minister, is lying down while Dalton McGuinty goes back to the negotiating table while somebody wanted for the attempted murder of an Ontario Provincial Police officer runs at large, without co-operation.

I cannot imagine what we've seen, where police officers are not permitted to wear protective gear when confronting protestors. I cannot believe that we have not seen the minister stand up and say that is just plain wrong. Minister, I can't believe you're not calling Dalton McGuinty on the carpet for his gutless leadership on this file. Are you going to stand up for the police and tell the Premier he is wrong, or are you going to step aside and let somebody else do the job you should be doing?

**Hon. Mr. Kwinter:** If the opposition would only stand up and say, "Here's what you should do: Go in and interfere with the police. Do all of these things"—if you feel that I have the authority or the desire to tell the OPP how they should dress their officers, how they should deploy their officers, that is in fact political interference. The former Solicitor General is on the record as saying, as the previous minister, "I would never interfere with the police." That is what we are doing right now. The police have the ability to deal with the situation as they find it. I certainly challenge you to have one single senior police officer—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. It's been quite a big week for the Minister of Energy. He unveiled the McGuinty nuclear mega-scheme to a room full of



reporters. He sponsored a well-attended technical briefing. He conducted hours of one-on-one TV and radio interviews. My question is this: During all of that, can the minister tell us why he never said a word to anyone about the McGuinty government's new regulation 276/06 which undermines Ontario's environmental assessment process and exempts the McGuinty government's nuclear mega-scheme from the provincial environmental assessment it really needs?

**Hon. Dwight Duncan (Minister of Energy):** The Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** As Minister of the Environment, I am telling you in the strongest terms that no new electrical facility will be built in this province without an examination under an environmental assessment process. No new plant will be built, whether it's wind, hydro, water or nuclear, without undertaking either a federal or a provincial environmental assessment. That is my firm and unbinding commitment to the people of this province, some of whom from my riding are up in the galleries today. They depend on us to make sure they are safe. They depend on us to make sure we have a clean, green supply of energy into the future. We are going to do what those on that side of the House have not done. We are going to make sure that we build a clean, green supply of energy in this province, that we stop burning dirty coal, and that we do it to make sure future generations are safe and healthy in this province.

**Mr. Hampton:** The regulation speaks for itself: "Designation and Exemption of Integrated Power System Plan" from an environmental assessment under the Ontario Environmental Assessment Act. This was all done secretly behind closed doors. Minister of Environment didn't say a word; Premier didn't say a word; Minister of Energy didn't say a word. It's a very cynical, cheap attempt to avoid proper public scrutiny of what will be the biggest nuclear mega-scheme in the history of Ontario. My question, again to the Minister of Energy: When did the Dalton McGuinty who promised to stand up for Ontario's environment become the Premier who waters down the Environmental Assessment Act and tries to hide his nuclear mega-scheme from proper scrutiny?

**Hon. Ms. Broten:** Let me be absolutely clear, as I have consistently been, and the decisions I have consistently made are that broad government policy direction is not the appropriate subject matter of the Environmental Assessment Act. The IPSP will be a reflection of that broad government policy direction. The IPSP is being developed by the OPA, and Ontario's Environmental Assessment Act does not designate the OPA as a public body. If you take a look at the Electricity Act, it clearly says that the OPA is not a crown agency. The law is very clear. I read the law, I follow the law and I make decisions according to that law. I make decisions to protect the environment and the health of Ontarians so that we can together see a future where we will have more wind power, where we have more solar power, where we will have clean, green sources of electricity, so that we can stop spewing pollutants into our air.

**Mr. Hampton:** I think people across Ontario know what is going on. This \$46-billion nuclear mega-scheme will have huge impacts on the environment, huge impacts on people's hydro bills and huge impacts on the economy of the province. Under current Ontario law, it's required to undergo a provincial environmental assessment, but the McGuinty government wants to hide its nuclear mega-scheme from proper scrutiny. The McGuinty government wants to look for a place to avoid proper public scrutiny under an Ontario Environmental Assessment Act process.

My question to the minister is this: If you say you've got nothing to hide, then why are you trying to hide? Why are you passing a regulation to exempt your nuclear power scheme? Why are you looking for a way to avoid proper scrutiny? If you've got nothing to hide, why are you trying so hard—

1430

**The Speaker (Hon. Michael A. Brown):** The question's been asked. Minister.

**Hon. Ms. Broten:** I think the member opposite is confused. He has confused what is in the regulation. It's an administrative regulation that is confirming what I have said and decided all along. This is the same decision I made with respect to the coal replacement plan last fall—that that broad policy decision was not the subject matter of an environmental assessment—and I didn't hear the member opposite complaining about that decision at that time.

I guess he chooses to agree or disagree with the precedent of the law depending on how it suits his purpose. I don't operate that way. I look at the law. I follow the law. I read the Electricity Act and the Environmental Assessment Act. I make decisions that historically follow that legislation. The administrative regulation that has been put in place is to provide certainty and clarity so that we can move forward in this province and build the generation capacity we need to build so that we can have a clean, green future in this province. We're prepared to make tough decisions and—

**The Speaker:** New question. The leader of the third party.

**Mr. Hampton:** To the Minister of the Environment: There never was a coal replacement program. People across Ontario found that out this week. It was another one of Dalton McGuinty's promises to get a vote.

Minister, this is what your order says:

"Designation and exemption from ... integrated power system plan...."

"3(1) Any enterprise or activity related to an integrated power system plan, or any proposal, plan or program in respect of such an enterprise or activity, carried out by or on behalf of Her Majesty in right of Ontario"—that's the McGuinty government—"is exempt...."

Minister, if your nuclear mega scheme didn't require an environmental assessment, why in the backroom, in secret, is the McGuinty government passing a regulation to exempt it from an environmental assessment?

**Hon. Ms. Broten:** I would say to my friend opposite that there is no secret. The regulation was posted on e-



Laws. You didn't find it in my desk drawer. You didn't find it under a rock. You found it on a publicly accessible website, where that information was posted to disclose administrative decisions that have been made.

As I've said before, we have been clear and consistent all along. Broad government public policy is not the subject matter of an environmental assessment. The regulation has been put in place to clarify and to provide certainty with respect to those decisions that have been made, to ensure that we can move forward.

As I indicated, my friend has misunderstood the regulation in terms of what that regulation is about. You've also missed companion regulation 424, which I'm going to be pleased to tell you about in the supplementary.

**Mr. Hampton:** The Minister of the Environment says the McGuinty government has nothing to hide. We see, day after day, ministers get up and announce legislation or new regulations. We saw the Minister of Energy go on his media tour, telling people what a great plan he had, but not a whisper, not even a nod, from the McGuinty government that it was in the backroom, passing a secret regulation to exempt their nuclear mega scheme from the Ontario environmental assessment that otherwise would be necessary.

Here's what you've done, Minister. Instead of standing up to protect Ontario's environmental laws, you have watered them down and weakened them. I say again, when did the McGuinty government, that was supposed to protect the environment, become the government that is looking for a place to hide your nuclear mega scheme so it doesn't get any public scrutiny?

**Hon. Ms. Broten:** I'll remind my friend opposite what I have consistently said: Every single project will be subject to an environmental assessment process to ensure, and ask the questions, whether it should be built, where it should be built, how it should be built, and how we will move forward with developing new electricity in this province while ensuring Ontario's residents are protected.

Companion regulation 424, which my friend fails to comment on, strengthens the requirement that the Ontario Power Authority consider the environment. We've ask the OPA to examine the issues related to the environment, to clarify the consultation requirements, to add a definition of environment, and ensure that they consider the environment in the plan preparation. While they are examining this broad plan, which is not the subject matter of the environmental assessment, they will examine the issues related to the environment as we move forward. We know that will take them some more time to do, but we think it's important they put the issues of the environment—

**The Speaker:** Final supplementary.

**Mr. Hampton:** I think the people of Ontario know there is a proper place for the Dalton McGuinty nuclear mega-scheme to receive an independent review. It's called an Ontario environmental assessment. What the McGuinty government is doing is exempting it, and then they're going to send it to the Ontario Power Authority,

an agency that promotes nuclear power and coal, and say, "Oh, that'll be an okay substitute." Let me tell you, the Ontario Power Authority has already made up its mind on these issues. They're not going to give it an independent review.

Minister, it's your job to stand up for the environment. Instead, you are weakening Ontario's environmental protections. I ask you this: Why do you get the extra money? Why do you get the limousine? Why do you get the title of Minister of the Environment if you're not prepared to stand up and do your job? If you're not prepared to stand up and do your job, why don't you resign, Minister?

**Hon. Ms. Broten:** Anybody who knows me knows I drive in a hybrid, so perhaps my friend hasn't seen my travel to and from work.

As Minister of the Environment, I'm repeating once again, and telling you in the most crystal clear nature I can, that no new plant will be built in this province without being the subject of an environmental assessment. Whether that's federal or provincial, the issues will be examined. Our directive is absolutely clear. Our directive is about moving forward in a way to ensure that we have a clean, green supply of energy in this province, that we double conservation 10 times from where we are now, that we double renewables, that we get rid of dirty coal and that we ensure we can keep the lights on in this province.

We are prepared to make the tough decisions you were not prepared to make when you were in government, and that the former government was not prepared to make. We are going to move forward. At the same time, we will protect Ontarians. I take the responsibilities I have been given very seriously. We are strengthening the provisions for the OPA, and we will ensure that we have a clean, green—

**The Speaker:** Thank you.

*Interjections.*

**The Speaker:** Stop the clock. Order. New question.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is to the Acting Premier. On May 10, I rose in the House and asked your Minister of Health to provide interim bridge funding for treatment for Isaac McFadyen. Isaac, if you remember, was born with an extremely rare, relentless and debilitating disease called MPS-VI, which results in shortened stature, joint stiffness—just to name a few. According to Dr. Joe Clarke of Sick Kids, enzyme replacement therapy can reverse some of the problems of this disease and may prevent them altogether.

Despite the assurances of your minister on that day, the McFadyen family has been very frustrated with the lack of progress. They're here again today. In fact, Andrew McFadyen, the father, says in an e-mail, "I've been in contact with the Ministry staff and they simply continue to say they are 'working' on the file." I ask you, Acting Premier, will you commit to respond to their



desperate plea for interim bridge funding for enzyme replacement therapy for their son?

**Hon. Gerry Phillips (Minister of Government Services):** I appreciate the family's concern, obviously. My understanding is that the minister's office has been in touch with the family and are working with them. As I think the House, the Legislature, knows, it's a drug that, I gather, does not have what's called here a Notice of Compliance from Health Canada as yet. It's currently only available through their special access program. I know the minister is working with the manufacturer, trying to work to our resolution. Like many of these new drugs, with a fairly significant investment required, sometimes these things take time. I would just let the House know that only today, I think, the ministers of health announced a program on another drug with a significant advancement. So I'd say our minister is working on these matters. On this particular one, I know he has been in touch with the family, looking for a solution. I don't think one has been found yet, but I know he's been working on it.

1440

**Mrs. Witmer:** Well, Acting Premier, I know you're a compassionate person, and the reality is that there has been little communication, if any, with the family. They are very frustrated at the lack of contact and at the speed at which progress is being made. If we take a look at Fabry disease, I've raised that issue 17 times in this House since April 2003, I believe, and we now have finally seen some resolution at the national level.

This treatment that I'm asking for is available in other countries. Time is running out. The family can get treatment in Britain, and if they do not get approval from your government, they will be forced to move. I say to you today, will you commit to provide interim—I'm not requesting for permanent—bridge funding for treatment until a long-term solution can be found? Please listen to their pleas for help. They're here again today from Kingston. They are desperate for your help.

**Hon. Mr. Phillips:** I appreciate the member's comments. I'd just say about our Minister of Health that I actually don't know where he gets the energy. I find him, frankly, very accessible and constantly meeting with individuals. I say that in his defence.

I hope the member and the public appreciate the challenges in these things. I repeat: I think it was just today that the ministers of health announced funding for a new drug—I realize not this one—but an additional \$148 million, I believe. These matters are difficult to resolve. I certainly will undertake to talk to the minister. He has already said his office is in contact with the family and looking for a solution. I can assure you, on our behalf, that our minister will do whatever he possibly can. These matters sometimes are not easily resolved, as I think you, as a former health minister, would know.

## ONTARIO HUMAN RIGHTS COMMISSION

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Attorney General. You have repeatedly claimed that your plan to reform the Ontario Human Rights Commission is inspired by the Cornish report. Today, Tom Warner, a former Human Rights Commissioner and one of the members of the Cornish task force, says that your plan will weaken, not strengthen, human rights protection in Ontario. Mr. Warner is one of hundreds of people, the very people who rely on the Human Rights Commission, who say your scheme will undermine their human rights.

My question is, why are you ignoring them? Why won't you stand your bill down and conduct the province-wide consultations on the Human Rights Commission that Tom Warner and others have been asking you to do for some time now?

**Hon. Michael Bryant (Attorney General):** I thank the member for the question. I know that everyone who worked on the Cornish task force, that was empanelled by the NDP government in 1992, I believe, is extremely dedicated to improving our human rights system. I know that Mary Cornish herself has indicated that she feels this bill is a very positive step forward. She and a number of people have quite rightly been taking this opportunity—an historic opportunity; the first of its kind in more than 40 years—to make changes to the Human Rights Code. I think we all want the same thing, and that includes public consultations. That's why we're very anxious to get going with full public hearings, which, of course, is a very important reason, if not the primary reason, for the consultation. We look forward to having them under way, and if the member wishes those to be under way right away, I—

**The Speaker (Hon. Michael A. Brown):** Supplementary?

**Mr. Hampton:** People like Mr. Warner are very clear: They're not interested in public hearings on your flawed bill and your flawed process. What they want is to go back to the drawing board and consult on that the real issues are at the Human Rights Commission and then seek consensus on what needs to be done.

It's not just him alone; we've heard from advocates for racial, religious and ethnic minorities, advocates for gays, lesbians. They all say they can't get the public consultation process that they've asked for over and over again, that you simply refuse to listen to them. Now, a former human rights commissioner is saying the same thing. All they're asking for is a fair process, a province-wide consultation on what the issues really are rather than your narrow, selective approach. What's wrong with what they're asking for, Minister? It seems perfectly reasonable to me.

**Hon. Mr. Bryant:** The member is the leader of a party which is opposed to this. They are opposed to a direct access system. They had an opportunity to bring in a direct access system when they were in government,



and they were against it. We've heard from the justice critic for the NDP: They're against it. They're against a direct access system. They're against the recommendations of the Cornish report—that's clear—so they're on that side. We're on the side of people who want to make improvements to a human rights system that quite frankly has not been working for many, many years.

I'm not sure that the member entirely accurately characterizes what was said today. I received the letter from the people who spoke today. They said, "We commend your government's commitment to advance human rights." They said that no one wants the status quo. So I say to the member, yes, we're having a debate on this; yes, we're consulting on this; yes, we've been consulting on this for years. But unlike what you want to do, we're not going to delay this. We want to bring this forward in the name of human rights and in the name of modernizing—

**The Speaker:** Thank you.

#### HIGHWAY 24

**Mr. Dave Levac (Brant):** My question is for the Minister of Transportation. Minister, as I am sure you're aware, the riding of Brant is growing. Brantford's population is expected to increase to 100,000 people within the next five or so years. Their post-secondary student population is rapidly expanding, with Mohawk College, Laurier Brantford and Nipissing campuses in the downtown core. With our downtown revitalization project and our proximity to the K-W area, Kitchener, Cambridge, Hamilton, the new Toyota plant in Woodstock and the GTA, Brantford's commuting population is also increasing.

Highway 24 serves as a vital link from Highway 403 to Highway 401 for many of my constituents and companies. Because of the development along the current Highway 24 and increases in traffic volume, congestion and safety is a growing concern; economic development as well. Minister, can you tell me what our government is presently doing to help that congestion, safety and economic development along Highway 24?

**Hon. Donna H. Cansfield (Minister of Transportation):** I'd like to thank the member for Brant. I don't think I was the Minister of Transportation for about two seconds when this member was asking me about Highway 24, so I commend him to his constituency for his tenacity. I am pleased to stand in the House today to say that the Ministry of Transportation will in fact begin a planning and environmental assessment study for a new and improved corridor from Highway 403 in Brantford to Highway 401 in Cambridge. This study will look at all the alternatives through this section, including major realignment, bypass sections of the existing highway, a new provincial highway, widening the existing highway and a transitway. Of course, we will do this in concert, with consultation with the municipality and with the public.

**Mr. Levac:** Talk about music to my ears, and I know to many, many people in my riding; Highway 24 expansion is a great piece of news for us. I look forward to working with the folks at the MTO, my constituents, the stakeholders, the public and the municipalities to address what we know moving forward on 24 really means; actually, I want to call it 424.

As I said, Brantford's proximity to the GTA and other business hubs such as Hamilton, Kitchener-Waterloo, Guelph, Cambridge, Woodstock, Brant, Haldimand and Norfolk make it a very attractive place to live, work, play and raise a family. People often comment that transportation issues are a top priority to this commuting nation. I know that transportation is a priority to the McGuinty government as well. As we speak, Minister, a meeting between eight mayors representing over 1.8 million people is being planned to discuss Highway 424. Would you be able to tell me what provincial investments have been made up to this point to help ease our congestion and concerning safety and business development in this riding?

1450

**Hon. Mrs. Cansfield:** I'm pleased to rise and answer the member's question. Obviously, we believe that congestion means striking a balance, not only with our public transit but, as well, investing in our road infrastructure. That's why the McGuinty government is making the largest investment in public transit in a decade. We're also the first government to dedicate two cents per litre of provincial gas taxes to supporting municipal transit.

Since October 2003, Brantford has received \$1.5 million in gas tax funding to support their investments to expand and rehabilitate their transit system. Also, in this year's budget, the McGuinty government has announced \$1.4 billion of Move Ontario funding and has included a one-time \$400-million program to support municipalities. Of that, \$2.7 million went to the county of Brant, and the city of Brantford received \$3.7 million.

There's no question that we are committed to investing, not only in the infrastructure on our highways but also the infrastructure in our transit, to move the people of Ontario, efficiently, effectively and safely.

#### NATURAL RESOURCES PROGRAM FUNDING

**Mr. Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Natural Resources. Last Thursday, in response to my question regarding the community fisheries and wildlife involvement program, you committed to full funding of the \$1-million program. As you know, this funding funds thousands of local stocking and fish habitat programs involving some 35,000 volunteers across the province. While this is good news, can you tell this House whether the \$500,000 in funding, the CFWIP, will be new money or will it involve the reallocation of money from another program



within the Ministry of Natural Resources? So, new money or a reallocation of money?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** This will be the same money that we used last year, except it's this year's new money for this program. It's all within the budget; we just didn't cut it out. So the budget item is there, as it was last year. It's there again this year, and those monies are flowing out, as we speak, to the community organizations.

**Mr. Miller:** I'm happy to hear that you won't be taking funds from another program. Every day, we hear about cutbacks in your ministry, whether it be parks staff, conservation officers, counter service at district offices or stocking programs.

Minister, I'd like to ask you about another promise you made in the election, and that is that you and the Premier and the Liberal Party of Ontario made a written commitment in the 2003 election to fully fund the fish and wildlife program of the Ministry of Natural Resources. The government heard in the prebudget consultations from the Ontario Federation of Anglers and Hunters that this program is unable to properly protect Ontario's fish and wildlife and in fact is underfunded to the tune of some \$25 million. Minister, when is your government going to honour the written commitment made in the 2003 election campaign to fully fund the fish and wildlife program?

**Hon. Mr. Ramsay:** As the member knows, MNR is probably one of the only ministries in government that has two special-purpose accounts: one of them is involved with parks and the other with fish and wildlife management. What that means is that the revenues we take in from the sale of licences goes into the special-purpose account, solely for the purpose of managing fish and game. This is something we want to work with our stakeholder groups about, because we feel that with some of the decline in purchases of hunting licences, for instance, those revenues are projected to decline. So we're going to have to sit down—we are having negotiations and discussions, in a broad sense, with our stakeholders as to how we can build the revenues up for the special-purpose account. Obviously, this could possibly mean increases for licenses. This is something that I don't necessarily want to do at the moment. It's something we want to move on very carefully and make sure that we're talking with all the people concerned, because we don't want to be imposing increased fees on hunters and anglers—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** A question for the Acting Premier: In February, your Minister of Health received a letter from the family and friends' council of the Peter D. Clarke long-term care centre in Ottawa that reads as follows:

"The nursing staff work very hard to do all they ... can for the residents with the person-power and time available but there never is enough. Volunteers and family members have to fill in the gaps....

"We understand that inmates in prisons, who have ... done something against society, get more money allowed for food each day than long-term-care residents who have done nothing wrong other than get old and sick and are seemingly forgotten....

"We are asking for your help by giving long-term care in Ontario more funding for food and staffing."

They have yet to receive a reply to this letter.

Acting Premier, in the last election your party promised residents like these that you would provide an additional \$6,000 in care for every resident. When will your government actually fulfill that promise?

**Hon. Gerry Phillips (Minister of Government Services):** I would just say, I'm quite proud of what we've done with long-term care, and the Minister of Health has made it an enormous priority. I'd refresh the member's memory and certainly the public's memory that since we came into office less than three years ago, we've increased the investment by 35%—\$740 million. This year alone we put an additional investment in these important institutions of \$155 million—almost a 6% increase. We've allowed them to hire, as a result of this funding, almost 500 more nurses and 2,300 more staff. We have some regulations around 24-hour, seven-day-a-week nursing and minimum baths.

In spite of the fact that we inherited a relatively difficult fiscal situation, we've made sure that we put a priority on this. As I say, a 35% increase in investment, \$740 million in long-term care, is a substantial and meaningful investment, and I'm very proud of what our Minister of Health has done here.

**Ms. Martel:** The promise is quite specific. In the last election, the Liberal Party said, and I quote, "Invest in better nursing home care, providing an additional \$6,000 in care for every resident." Over the last three budgets, the amount of annual funding going directly to care of residents has only increased by \$2,000, not \$6,000. That is why Donna Rubin, who's the president of the Ontario Association of Non-Profit Homes and Services for Seniors, said on March 23, 2006, the day of the budget, "We're disappointed and, quite frankly, very frustrated. With the province recording higher-than-anticipated tax revenues, we expected the government to make good on its commitment to revolutionize long-term care."

I say to the Acting Premier: Your party made a very specific promise. When are you going to provide the additional \$6,000 in care for every resident in every long-term-care home—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister?

**Hon. Mr. Phillips:** Again I say to the member, and directly to the public, I think we have made major investments in this. I think the public understand the situation we inherited, and I hope the public understand that we have made a major commitment to this. The NDP



always says it's never enough, but it's \$740 million, a 35% increase in investment—a major investment—2,300 new staff, almost 500 new nurses, tougher inspections, 24/7 nursing.

I must say, I do get slightly tired of the lectures from the NDP. When you were in government, you increased—and this is always rich. You lecture us, but you increased prison food payments by almost 7%; you increased long-term-care food payments by zero. So I appreciate the lecture, but I think the public should understand that we're delivering.

### STREET RACING

**Mr. Mario G. Racco (Thornhill):** My question is for the Attorney General—

*Interjections.*

**Mr. Racco:** If I can ask the question, please? And the Conservatives may want to listen. It has to do with law and order that we certainly—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. The member for Thornhill.

**Mr. Racco:** John Tory may want to know that this question has to do with law and order, and the Conservatives should wait for the answer.

My question is for the Attorney General. Recently there has been coverage on the news about the dangerous activity of street racing and the devastating effects it has had on the people of Ontario. While street racing has been an issue of concern for some time, the frequency and severity of damage related to this irresponsible behaviour is increasing and unacceptable.

In January, Tahir Khan, a Toronto cab driver, was killed in an alleged street racing incident. More recently, on May 28, Rob and Lisa Manchester were killed when their vehicle was struck by a car involved in street racing. As a result of this tragedy, their seven-year-old daughter, Katie, has been left without parents.

1500

York region is a particularly bad area for street racing due to its history as a rural and industrial area. It is highly unacceptable for my constituents to be exposed to this behaviour. Minister, can you tell this House what legal instruments are currently available to us to address the problem of street racing—

**The Speaker:** Thank you. The Attorney General.

**Hon. Michael Bryant (Attorney General):** I thank the member for his question. Obviously, all members of this House express their deepest sympathies to the Manchester family and to the Khan family for the tragedies that they've experienced, and all the victims of street racing, the more than 30 people who have died in the Greater Toronto Area alone in not too many years since 1999.

Currently, law enforcement tools are available and the police and prosecutors use them through our criminal justice system. As well, there is a civil forfeiture system which we are using, building on one of the oldest con-

cepts of law, to seize, forfeit and, where appropriate, destroy property that's being used for unlawful purposes.

The bill and its action focus on the connection between property and unlawful activity. That's not dependent on any criminal charges or convictions. It allows us to make our communities safe, and I'll provide more details in the supplementary.

**Mr. Racco:** I have discussed the subject of street racing with York Regional Police Chief Armand La Barge, not only this morning, but in the past. He and I would like to see action taken as soon as possible in order to prevent any further tragedies.

Minister, can you please tell this chamber whether this legislation has ever been used, and if so, how has it been used specifically to address the issue of street racing?

**Hon. Mr. Bryant:** Since the fall of 2003, we've used the legislation to seize more than \$2 million of assets, and more than \$8 million is before the courts—everything ranging from equipment used in marijuana grow-op operations, weapons, money, a crack house in Hamilton that was closed down.

Today, along with York Regional Police Chief Armand La Barge, we destroyed for the first time, using this legislation, two street racing cars. Chief La Barge and his police service have really been leaders in working with the ministry in using this legislation. Practically speaking, what we've done is taken two cars, which were obviously extremely dangerous to that community, and put them out of commission for good; and secondly, sent a message to the streets that those who engage in street racing will face the wrath of the criminal law, yes, but we're also going to take their cars away and we'll take them away forever.

### HIGHWAY 26

**Mr. Jim Wilson (Simcoe-Grey):** My question is for the Acting Premier, given that the Minister of Transportation had to leave; that's unfortunate.

On December 14, 2005, the previous Minister of Transportation, Minister Takhar, told me in response to an order paper question that his ministry was waiting on federal approvals from the Department of Fisheries and Oceans before they could continue with the realignment and paving of Highway 26 from Stayner to Collingwood.

Well, Acting Premier, I wrote the federal minister and I just received a letter from him that indicates that you people haven't talked to the federal government about Highway 26 since you came to office in 2003. The letter states, "To date, DFO"—Department of Fisheries and Oceans—"has not received design plans from MTO." I've also just gotten off the phone with the district director at fisheries and oceans, and he confirmed what the minister has said.

Minister, are you going to continue to blame the federal government or are you going to stop the excuses and restart the safety initiative, the realignment of Highway 26 between Stayner and Collingwood?



**Hon. Gerry Phillips (Minister of Government Services):** The information I have regarding Highway 26 is that the staff at MTO—Ministry of Transportation—do continue to work with the municipality and the archaeological society to ensure that all issues regarding that burial ground have been resolved before we move forward with awarding construction contracts. This is information I have.

I'm told that human remains were found along Highway 26 several months ago. We continue to work to identify the remains. They were found during a tree contract that was being conducted along the designated route for the new Highway 26.

My understanding is that the staff at MTO are working on this matter with the municipality and the archaeological society, and until it's resolved, obviously, it can't proceed.

**Mr. Wilson:** We heard this excuse from Mr. Takhar, the previous Minister of Transportation, when he said there was a graveyard in the way. The graveyard was found several years ago. It's not even a graveyard; it's one grave. The bones have been identified. They're 15,000 years old. You're going to find them all over Simcoe-Grey and all over Simcoe county.

Tell me why your government doesn't care about the 833 people who have been maimed, harmed and mutilated on that highway in the past eight years? It's a safety issue. We didn't do it for politics. The facts have obviously been obfuscated by the previous minister. First, he tells me he doesn't have—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** You might want to rethink the use of that word. Withdraw.

**Mr. Wilson:** I withdraw, Mr. Speaker.

In the three years I've been asking questions, I've been told there are human remains in the way, which is laughable to the local people. Mr. Takhar told me in this House that he didn't have the final design plans, so the next day I brought them into the House, all six inches of them, and I handed them to him.

I just want to know, is this behaviour from your government indicative of the way you're going to treat serious safety issues on our highways? You've not been straightforward. You've used every excuse in the book, and it's time you and your government came clean on this issue. We're tired of it, frankly, and the thousands of people who travel that highway—

**The Speaker:** Minister?

**Hon. Mr. Phillips:** The people in his area recognize that he was in government for eight years, and he didn't get it done. He can get red-faced here and yell all he wants, but there are some processes that I hope you would want us to respect, including when we find human remains. We're not going to go ahead and pave it just because you want it done.

I would say to the people of Simcoe county, again, recognize that while he yells at us today, in eight years he didn't get it done.

Remember the budget presented by my colleague here just a few weeks ago—\$400 million, year end, sent out to the municipalities for roads. If I'm not mistaken, at least \$8 million of that went to your area. So I would say, if you want the evidence of our commitment to good roads, there it is. If you want the evidence of a kind of manufactured outrage from someone who didn't get it done in eight years, well, we're getting it on with this. You'll see it in the House today.

## HYDRO RATES

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. We learned yesterday that hydro ratepayers will have to pay tens of millions of dollars in cancellation fees, and perhaps damages, that result from the McGuinty government's decision to cancel the natural gas pipeline in Thunder Bay that was supposed to go over to the coal-fired plant.

Acting Premier, since this all comes out of the very cynical promise of Dalton McGuinty to close the coal-fired plants, a cynical promise that never had a plan and that you had no intention of ever implementing, don't you think the Ontario Liberal Party should be paying these costs and not hydro ratepayers?

**Hon. Gerry Phillips (Minister of Government Services):** To the Minister of Energy.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Who paid for that rainforest in Costa Rica?

**Hon. Dwight Duncan (Minister of Energy):** That's right.

I think it's fair to say that you have to look at the costs we're developing in replacing coal-fired generation, which you opposed. You told us to do this, by the way. You told us not to do this. You have to look at those costs associated, say, for instance, with the opportunity to develop more hydroelectric opportunities in the north-west, something the member would likely support.

So rather than proceed with an undertaking that was becoming more expensive, we decided, all facts considered, there may be a less expensive way to shut down the coal-fired generation. I know you don't agree with that. We are proceeding on that basis. We've asked the power authority to look at all those options again to ensure that, as we phase out coal-fired generation, we do it in what I would call a responsible fashion financially.

1510

**Mr. Hampton:** Minister, this is about hydro ratepayers, who have already watched the McGuinty government drive their hydro bills through the roof. This is about industries like paper mills and pulp mills, where you're forcing them to pay seven and eight cents a kilowatt hour for electricity that only costs 2.5 cents a kilowatt hour in northwestern Ontario to produce, and they're simply asking why they should now have to pay even higher hydro bills, when this all comes out of Dalton McGuinty's cynical promise to close coal-fired plants. Why isn't the Ontario Liberal Party paying for Dalton



McGuinty's cynical promise? Why do you force hydro ratepayers to pay for Dalton McGuinty's mistake?

**Hon. Mr. Duncan:** The ratepayers of Ontario are paying for the 53% increase in electricity prices [*inaudible*]. The ratepayers in Ontario are paying the price today because you didn't take the decisions that we've taken to bring on a cleaner, greener and newer supply. Ontario ratepayers are paying for a history of neglect, are paying for governments that bought rain-forests in Costa Rica, are paying for failed schemes, are paying for the fact that you cancelled the Conawapa hydro deal. They're paying for the fact that you've cancelled all conservation programs. They're paying for the fact that he and his colleagues showed no vision, no insight, when they cancelled the last future hydro plan, because they said, "Oh, we won't have demand that high that far in the future." They were wrong then; we're paying the price now. This government is showing leadership. It's moving forward for a cleaner, greener, reliable, safe, secure supply of electricity, now and in the future.

#### WINE INDUSTRY

**Ms. Jennifer F. Mossop (Stoney Creek):** My question is to the Minister of Small Business and Entrepreneurship. I understand that your main focus, of course, is to ensure that the economic environment in Ontario is conducive for small businesses and entrepreneurs to operate their businesses and to ensure their growth and success.

As we also know in this House, it is Ontario Wine Week. Thanks to the member from Essex, who introduced a private member's bill, we do have Ontario Wine Week, which we are celebrating right now. For those of you who don't know, you should know that Ontario has some of the best wines in the world. It is an industry that has grown up in a tremendous fashion by doing a great leap of faith about 20 years ago, when they ripped out some of their old grapes that weren't producing good wine. They planted new ones, experimental ones, and they have grown into one of the best industries in this world, some of the best wines in the world.

I digress a little bit, Minister, but I do want to know exactly what your ministry is going to be doing to support this important industry in our province.

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** I want to thank the member from Stoney Creek for asking this question. Let me say, I think the wine—

**Mr. Jim Wilson (Simcoe-Grey):** Is this your first question?

**Hon. Mr. Takhar:** Maybe he wants to answer the question. I will let him answer it.

**Interjection:** Agreed.

**Hon. Mr. Takhar:** So let him answer it. Let's see what he says.

The wine industry is very important to our province. Ninety wineries employ almost 6,000 people and do

about \$394 million in wine sales. As the Liberal government took power, we actually gave \$10 million over a five-year period for the wine study fund. In the 2006 budget, we gave them another \$3 million to promote VQA wines. In addition to that, we gave another \$1 million to promote marketing activities and another \$1 million to the grape growers to assist them in research activities. So we have supported the wine industry quite a bit, and I will be more than—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Ms. Mossop:** Thank you very much for this news, Minister. I know that this government has been working closely with the industry. We have a wine caucus. We've been supporting the research end of things, bringing back the Vineland Research Station to the agricultural research area, where it had lost its trail for a while, but it's back. We've been supporting the industry in a number of ways, and I know it's important. I hear that all the time, because I do have wine country and a number of the wineries in my riding.

I also understand that you were in Niagara today, at Vineland Estates, for another announcement with regard to another investment you are making to help ensure that Ontario wineries can maintain their competitive advantage, because this is something we hear repeatedly. This is a highly competitive, global industry, and we need to support them as best we can. So could you please explain to us exactly what you were doing today in Niagara at Vineland Estates Winery?

**Hon. Mr. Takhar:** I want to thank the member again for her question. Today, what I announced is a \$10-million steward program to help facilitate the growth of Ontario's wine industry. This program has three objectives: First, we want to help the wine industry; second, we want to help the grape growers; and third, we want to promote the VQA table wines in Ontario. So what we have done is give them \$10 million over a three-year period. It will be \$3 million the first year, \$3.5 million the second year and \$3.5 million the third year.

I was very pleased to have the member from Niagara join me at this event as well.

What this will basically do is help them actually open up more markets through the LCBO, which is the largest channel to sell wine. Our support for wine and grapes is a part of our overall strategy to build a stronger, more vibrant and prosperous Ontario.

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: I would seek unanimous consent from the House that the following motion be adopted: that the government call Bill 122, the Street Racing Act, 2006, for second reading before the House rises for summer recess; that the House leaders agree to the allotted time for debate, and that immediately after second reading debate, the vote be called for third reading.

**The Speaker (Hon. Michael A. Brown):** Mr. Klees has asked for unanimous consent. I heard a no.



## DONATION TO SALVATION ARMY

**Mr. Ted Arnott (Waterloo–Wellington):** On a point of order, Mr. Speaker: It is reported in today's Toronto Star that, in an extraordinary gesture of generosity, a former member of this Legislature, the Honourable Jim Snow, and his wife, Barbara, have donated their home farm property, Pine Crest, to the Salvation Army. Along with the MPP for Halton, Ted Chudleigh, and our area's member of Parliament, the Honourable Michael Chong, I was pleased to attend the event on June 3 at Pine Crest when this donation was celebrated.

I know that all in this House would want to join with me in thanking Jim, Barb and the Snow family for this incredibly generous, philanthropic act.

## ORDER OF BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: From time to time, you will be aware that members arise in the House asking for unanimous consent on various pieces of legislation, and as you would be aware, the House leaders discuss these matters from time to time and continue to discuss all these matters. That is the channel we wish to go through when we're trying to ensure that legislation makes it through. There's an impression that's created—on all sides, may I say—that somehow members get up and ask for these unanimous consents, but we try as House leaders to deal with these matters as expeditiously and as well as we can.

**The Speaker (Hon. Michael A. Brown):** On the same point of order? The member for Oak Ridges.

**Mr. Klees:** I'd like to respond to this point of order by pointing out that many times, on all sides of the House, members have stood and asked for unanimous consent, whether it be for private members' business or other business. The reason I brought this forward, with regard to the street racing bill, is that it was my impression that the government felt that street racing was a serious concern. We have legislation before us now—

**The Speaker:** Thank you. The standing orders permit members to ask for unanimous consent. There's nothing out of order about asking for unanimous consent.

**Hon. Mr. Bradley:** On a point of order, Mr. Speaker: For the edification of all members of the House, the three House leaders discuss, along with whips and deputy House leaders and the deputy whips, matters related to what goes on in this House at House leaders' meetings each week. We try to deal with these matters as well as we can, and we will continue to do so. Members may still free-lance when they wish, but I think they'll find that the system works best when the House leaders are trying to resolve these matters as well as we can.

**Mr. Klees:** On the same point.

**The Speaker:** I've ruled that it is a point of order to ask for unanimous consent. Yes, member?

**Mr. Klees:** It's a point of order because we all know what the House leader is referring to. I would then request that the House leaders take into consideration Bill 122, the Street Racing Act, and discuss among themselves when they can bring it forward.

**The Speaker:** Absolutely. All members have access to their various House leaders and can discuss with their various House leaders what they want raised at the House leaders' meetings. The Speaker has absolutely no control over what is spoken about at the House leaders' meetings, so all members can talk to their own House leaders about such matters.

1520

## PETITIONS

## SCHOOL FACILITIES

**Mr. Jim Wilson (Simcoe–Grey):** As a deputy House leader, I can tell you that House leaders' meetings are pretty well useless, but anyway, having said that:

“To the Legislative Assembly of Ontario:

“Whereas the parents of St. Paul's elementary school in Alliston have raised many issues regarding the security, cleanliness and state of repair of their school; and

“Whereas a 2003 condition assessment completed by the Ontario government identified the need for \$1.8 million in repairs to St. Paul's elementary school; and

“Whereas the Simcoe Muskoka Catholic District School Board has approached the Ministry of Education with the intention of having the school deemed prohibitive to repair as they believe the school requires \$2.28 million in repairs, or 84% of the school replacement cost; and

“Whereas there are ongoing concerns with air quality, heating and ventilation, electrical, plumbing, lack of air conditioning and the overall structure of the building, including cracks from floor to ceiling, to name a few;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Minister of Education immediately deem St. Paul's elementary school prohibitive to repair, secure immediate funding and begin construction of a new facility so that the children of St. Paul's can be educated in a facility that is secure and offers them the respect and dignity that they deserve.”

As I said yesterday, I went to this school from kindergarten to grade 8, and my mother taught at this school for 33 years, and I am in full agreement with the petition.

## GO TRANSIT TUNNEL

**Mr. Tony Ruprecht (Davenport):** I keep getting petitions about this dilapidated bridge on Old Weston Road. It reads as follows:

“To the Parliament of Ontario, the minister of infrastructure services ...:



"Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

"Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair ... bridge;

"Whereas this bridge ... will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it's about 50 metres long). It's dark and slopes on both east and west sides creating high banks for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

I'm delighted to sign this petition because I agree with it 100%.

#### HIGHWAY FUNDING

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the federal government collects over \$5.2 billion annually in tax revenues from the sale of gasoline products; and

"Whereas the federal government, in addition, collects over \$1.8 billion annually in GST revenue from the sale of gasoline products; and

"Whereas the previous federal Liberal government refused to commit additional funding for assisting road infrastructure in the province of Ontario;

Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to work with the new federal Conservative government in achieving a federal-provincial program to assist in further development of Ontario's interprovincial roads such as the Trans-Canada Highway and Highway 401."

I affix my name in full support.

#### EDUCATION FUNDING

**Mr. David Zimmer (Willowdale):** This is a petition that was originally tabled by me on June 15, 2006. A group of my constituents have asked me to read this petition into the record.

"Petition to Ontario Legislature to End Discrimination

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only Western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces" in Canada "except for the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I'm giving this petition to page Madeleine.

#### HIGHWAY 26

**Mr. Jim Wilson (Simcoe-Grey):** "To the Legislative Assembly of Ontario:

"Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 1999; and

"Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

"Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe-Grey;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe-Grey."

I obviously agree with that petition.

### LONG-TERM CARE

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I have a petition delivered to me from the president of the Dundas Manor residents' council of Winchester, Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I send this petition to the clerks' table by page Gregory.

### CAFETERIA FOOD GUIDELINES

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition from the students and teachers at Bracebridge and Muskoka Lakes Secondary School supporting the private member's bill proposed by Nupur Dogra. It reads:

"To the Legislative Assembly of Ontario:

"Whereas childhood obesity rates have tripled over the past two decades in Canada; and

"Whereas the annual amount of money the health care system uses to mend preventable obesity-related illnesses is \$1.6 billion; and

"Whereas the Ontario food premises regulation only provides safety policies that must be followed by the Ontario school boards' cafeterias, but no defined regulations regarding the nutrition standard of the food being served at the cafeterias; and

"Whereas there is a need to encourage nutritious standards in high school cafeterias that support Canada's Guidelines for Healthy Eating; and

"Whereas the private member's bill proposed by Nupur Dogra under Making the Grade and her fellow students at Iroquois Ridge High School will require all Ontario school boards' cafeterias to adopt and abide [by] healthier eating standards (similar to Canada's Guidelines for Healthy Eating) that will govern the food choices;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the private member's bill that will amend the Ontario school boards' cafeteria food guidelines to follow healthier food standards in all Ontario high school cafeterias."

I support this petition.

1530

### TRADE DEVELOPMENT

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** A petition to the Ontario Legislative Assembly on fair auto trade with South Korea:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

### MACULAR DEGENERATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered,

"Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most individuals and add a financial



burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program.”

I affix my name in full support.

### FAIR ACCESS TO PROFESSIONS

**Mr. Tony Ruprecht (Davenport):** This petition is about reducing the barriers to foreign-trained professionals. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the McGuinty government is committed to establishing measures that will ensure a fair and inclusive Ontario for newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, transparent and clear; and

“Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

“Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, therefore respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, and work to ensure its prompt passage in the Ontario Legislature.”

I’m delighted to sign this petition because I agree with it 100%.

### GASOLINE PRICES

**Mr. Jim Wilson (Simcoe–Grey):** “Whereas gasoline prices have continued to increase at alarming rates in recent months; and

“Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario’s drivers while also impacting the Ontario economy in key sectors such as tourism and transportation; and

“Whereas the member from Superior North and the member from Essex, as well as the current ministers from St. Catharines, Eglinton–Lawrence and Sudbury have introduced legislation to freeze gas prices;

“Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the Ontario government consider an immediate temporary gas price freeze and fair and transparent gasoline pricing by supporting the previous members’ bills while international gas prices stabilize: Bill 10, the Gas Price Watchdog Act, introduced by the Liberal member for Thunder Bay–Superior North; Bill 18, the Gas Price Watchdog Act, introduced by the honourable

Liberal member for Eglinton–Lawrence; Bill 80, the Gasoline Consumer Protection Act, introduced by the Liberal member for Essex; Bill 32, the Petroleum Products Price Freeze Act, introduced by the honourable Liberal member from Sudbury; and Bill 16, the Gasoline Pricing Act, introduced by the honourable Liberal member from St. Catharines.”

I’ve signed this petition.

### LONG-TERM CARE

**Mr. Tony Ruprecht (Davenport):** I have one more petition today. It’s about a long-term-care home for Portuguese-Canadians. The petition is short, and reads as follows:

“Whereas Portuguese-Canadians number 171,545 in the Toronto census metropolitan area, many of whom encounter serious barriers (language, culture and location) to accessing community and long-term-care services; and

“There are no long-term-care homes dedicated to the needs of Portuguese-Canadian seniors; and

“Camões House for the Aged and Portuguese Community Centre of Toronto is proposing a partnership with a local long-term-care provider to purchase up to 160 existing beds in the Toronto area (for a nominal fee) to develop a Portuguese-Canadian long-term-care home in Toronto. This partnership is tentative and is dependent on the approval of the Ministry of Health and Long-Term Care;

“We, the undersigned, petition the Legislature of Ontario as follows:

“We encourage the Minister of Health and Long-Term Care, his staff, and members of the Legislature to support the Camões proposal and to make the appropriate administrative and policy changes required to develop a Portuguese-Canadian long-term-care home in Toronto.”

I am certainly delighted to sign this petition, because I agree with it 100%.

### BUSINESS OF THE HOUSE

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** On a point of order, Mr. Speaker: I’d like rise pursuant to standing order 55 and give the Legislature the business of the House for next week:

On Monday, June 19, in the afternoon, third reading of Bill 104, the Greater Toronto Transportation Authority Act. In the evening, third reading of Bill 11, the Provincial Parks and Conservation Reserves Act.

On Tuesday, June 20, in the afternoon, third reading of Bill 109, the Residential Tenancies Act, and in the evening, third reading of Bill 117, the Income Tax Amendment Act (Ontario Home Electricity Relief).

On Wednesday, June 21, in the afternoon, second reading of Bill 28, the Mandatory Blood Testing Act. In the evening there will be an interim supply motion.

On Thursday, June 22, in the afternoon, third reading of Bill 190, the Good Government Act.



**ORDERS OF THE DAY****TRANSPARENT DRUG SYSTEM  
FOR PATIENTS ACT, 2006****LOI DE 2006 SUR UN RÉGIME  
DE MÉDICAMENTS TRANSPARENT  
POUR LES PATIENTS**

Mr. Peterson, on behalf of Mr. Smitherman, moved third reading of the following bill:

Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act / Projet de loi 102, Loi modifiant la Loi sur l'interchangeabilité des médicaments et les honoraires de préparation et la Loi sur le régime de médicaments de l'Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Peterson.

**Mr. Tim Peterson (Mississauga South):** Today I have the privilege of leading off third reading of Bill 102, the Transparent Drug System for Patients Act, an act which gives the right drug to the right patient at the right time at the right price.

This comprehensive piece of legislation has been carefully drafted and amended to ensure that it will not only improve patient access to more drugs at reasonable prices, but will also reform our province's drug system.

This bill will improve Ontario's drug system. It will make it more efficient, more transparent, more accountable, more understandable. In short, it will change the drug system into a system that patients, pharmacists and drug companies can understand and trust.

Our government is also determined that Ontario's taxpayers get respect for their money, and that drug companies will continue to spend money on research and development as well.

When Mr. Smitherman introduced this legislation, he noted that at times the Ontario drug system was no longer serving the needs of patients first. Equally troubling, the escalating costs were threatening the very sustainability of the Ontario drug plan.

Our government has been very clear in expressing its support for our public health care system. We've demonstrated our willingness to make bold changes in order to protect and strengthen medicare. Bill 102 is a significant component of such change.

1540

It is important to reiterate that the coverage under the Ontario drug benefit program will not change. There will be no change to copayments, no change to deductibles and no change to eligibility. If you're a patient who currently receives prescription drugs through the Trillium drug plan or through the Ministry of Community and Social Services, you will continue to receive those drugs.

Our reforms are designed to give patients faster access to a wider range of drugs. Faster access to drugs also means better value for taxpayers' money. The people of Ontario, the people whom we in this Legislature rep-

resent, spend \$3.4 billion annually on the Ontario drug benefit program. In business, the biggest customer gets the best price. Bill 102 will allow the government of Ontario, as the largest purchaser of drugs in Canada, to get the best price. This has not been the case. Bill 102 has also been designed to make the drug review system more efficient, faster and more transparent.

The Transparent Drug System for Patients Act will, if passed, do the following: improve patients' access to drugs through conditional listings and exceptional access; ensure better value for money through drug re-pricing and reimbursement; and introduce competitive pricing and partnership agreements, allowing us to strike the best possible deals not just in buying drugs but in educating the public as to their benefits and method of use.

If passed, Bill 102 will close loopholes that will lead to unacceptable price increases for drugs. Our plan will also introduce off-formulary interchangeability. That means that less expensive but equally effective drugs, generic drugs, can be used in the place of brand name drugs. This isn't just good news for patients who need drugs; it's good news for those who pay for those drugs.

So the changes we're introducing will give the people of Ontario better access to better drugs, and do it more quickly. Our plan means that drugs will be approved more quickly, because we will permit rapid reviews and funding decisions for innovative drugs for life-threatening conditions. If a drug is not approved, we'll tell both the patients and manufacturers why, quickly, openly and honestly. This will be an enormous benefit to patients and to the Ontario drug manufacturers, both branded and generic, as they are anxious to introduce new products to the marketplace.

Bill 102 also recognizes pharmacists as front-line operators in our health care system and the trust that the public has already placed in them. It enhances their role and fairly compensates them for providing direct patient care and counselling. Pharmacists have been telling us for years that they want to play a bigger role in our public health care system. They have been underutilized. Bill 102 will engage them, as never before, with patients managing chronic diseases and with patients on numerous medications. Bill 102 will also allow pharmacists to use their skills and expertise to unlock better health care for patients and be fairly compensated.

Our plan calls for us to invest in health care system research by establishing a fund to help pharmaceutical companies make the case that certain drugs help to save on overall health care costs. This fund may include contributions from pharmaceutical companies and from the government. Please be assured that our government is sensitive to the importance of research and innovation in the pharmaceutical sector, as we are in other sectors. We know that advances, innovations in pharmaceutical products, can extend and improve life for Ontarians, so this innovation must continue. But as a government, we must have better research on the economic savings to our system of the faster use of the right drug. It is essential for Ontario and it is essential for Ontarians. The money



that our pharmaceutical firms spend on research and innovation is money well spent, and they will be fairly compensated for the innovative drugs they bring to market.

Reforms are also needed with respect to transparency and accountability. We will strengthen transparency and accountability in the drug system by giving patients a role in drug-listing decisions through two patient representatives on the renamed Committee to Evaluate Drugs. We'll also build a more accountable system through the creation of a Citizens' Council to advise the new executive officer, making Ontario the first province in Canada to permit direct patient involvement in decision-making and citizen involvement in policy direction as well. Our government is very proud of that, and we were pleased to accept an amendment from the NDP that put this directly into the legislation.

To further enhance accountability, we will also create a new position of executive officer of the Ontario public drug programs to manage the publicly funded drug system and make listing decisions based upon the recommendations of the Committee to Evaluate Drugs. In any case, where a drug is refused listing by the EO but that drug was recommended by the Committee to Evaluate Drugs, there will be an automatic second review process.

We will also free Ontario's doctors from the burden of paperwork associated with section 8. We want doctors to spend their time on patient care, not on paperwork. Section 8 will be replaced by a more effective conditional listing system supported by an exceptional access mechanism for very exceptional cases. These mechanisms will be placed in the hands of the executive officer, a much faster and more transparent decision-making structure than the cabinet approval process now in place.

One of the reasons I am speaking to Bill 102 is because I've had the privilege of being part of the legislative process that has brought Bill 102 to this point.

*Applause.*

**Mr. Peterson:** Thank you.

Let me take a moment to acknowledge and to thank the many stakeholders who participated in the discussions about this bill. It is a very important piece of legislation, and the input we received from groups and individuals across the province has helped us to improve it and strengthen it.

As members of this assembly will know, a number of significant amendments were made at the standing committee on social policy earlier this month. These amendments include: enabling volume discount benefits for the government on drugs bought for the public system; including the Pharmacy Council and Citizens' Council in the legislation; permitting a review of recommendations made by the Committee to Evaluate Drugs or decisions made by the executive officer to not list drugs; improving transparency by requiring the executive officer to prepare an annual report; stating that nothing in the legislation permits therapeutic substitution; and permitting pharmacists to receive defined professional allowances under a new code of conduct and with regulation-making author-

ity to define a cap of such allowances at 20% of the generic costs in the public drug system.

This truly is a balanced and comprehensive piece of legislation. It is important to note that this package represents a very big fiscal win for taxpayers. These reforms will result in savings of approximately \$277 million in 2007-08 between the ministries of health and of social services. That's \$277 million that will be reinvested in better health care for patients and better access to drugs. Let's remember that this is what this is all about: better care, better treatment for the people of Ontario, the people who elected each and every one of us.

**1550**

Drug costs have risen by more than 140% since 1997. Ontario needs better drug pricing. Ontario needs a more efficient and accountable drug system. Our balanced and comprehensive package of changes, anchored on the Transparent Drug System for Patients Act, will enable us to achieve just that.

I am proud of Bill 102 and I know that it will, if passed, bring costs under control and ensure the sustainability of both the overall drug system and the overall health care system. Bill 102 will result in the right drug for the right patient, at the right time, at the right price.

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I am pleased to join the debate on behalf of the Progressive Conservative Party and our leader, John Tory. This is Bill 102; it is third reading today and the last opportunity that anybody has to speak to Bill 102. This bill was just introduced on April 13 of this year and has not had much in the way of real debate or real consultation. This bill is entitled the Transparent Drug System for Patients Act, 2006, and unfortunately the use of that word "transparent"—this bill was anything but transparent.

The bill has three components: Part I deals with sweeping amendments to the Drug Interchangeability and Dispensing Fee Act; part II contemplates amendments to the Ontario Drug Benefit Act; and, of course, part III deals with the commencement.

This entire process from start to finish is one that has been flawed. In fact, if you wanted to write a textbook on how not to introduce a bill into the provincial Legislature in the province of Ontario, you would use this whole process which has unfolded as the model for the textbook that you would write. As a result of the flawed process, there was never any real consultation, no opportunity for stakeholders to take a look at any recommendations. We had a bill that was equally as flawed, and you only have to take a look at some of the headlines that I'll come back to later to show this.

Ian Urquhart wrote on May 17, "Support for Smitherman Drug Law Turns Wobbly." "New Bill Will Hurt: Pharmacists"; that's on June 1 of this year in the Toronto Sun. Terence Corcoran wrote, on June 1, "A Bill to Kill." On June 1, the National Post wrote, "Ontario's Bill 102, which aims to slash the province's drug costs, has provoked a storm of controversy," and then the title, of course, is "Bad Drug Reaction." It goes on and on. Then we have in Mr. Graham Murray's Inside Queen's Park,



"Bill 102 Retreat or Strategic Feint?" Then we take a look at Russell Williams, who had an article on June 6 in the *National Post*, "Killer Drug Plan."

I think you can see, from the headlines that were in papers in the province of Ontario, the response to this bill, to the process, was anything but positive. Even those who initially thought there might be some good news contained within came to the realization, very, very soon after they had an opportunity to digest and analyze it, that this was not a bill that was going to increase access to drugs for patients. It wasn't a bill designed to improve health outcomes for patients. It wasn't a bill that was in any way or shape going to help patients. This was a bill to contain costs, and the day that the minister made the announcement, he went out of his way to try to demonize pharmacists by talking about rebates, which he was going to eliminate. Unfortunately, even in the press release they put out today, they continue to demonize pharmacists, saying they'd no longer be eligible for tickets to baseball games and whatever. I just hope there are no other free passes being made available to any other health professionals, because this minister has certainly gone out of his way to demonize pharmacists.

How did this all start? In the fall of last year, people suddenly came to the realization that a woman by the name of Helen Stevenson had been hired, and she and the drug system secretariat, we learned—the whole thing was kind of a cloak-and-dagger event, done in a very clandestine manner, but talk was out there that her job was to reform Ontario's drug benefit program. I would say to you that nobody, but nobody, would object to the need to reform Ontario's drug benefit program. It is expensive, it is costly and we certainly need to take a look at how we can improve the system we have in place and make sure that we can provide the necessary drugs for people in Ontario.

We understand that meetings were held between Helen Stevenson and different people in Ontario. In fact, we've heard from people who went to meetings. However, the people who were called to meetings never had an opportunity to respond to any recommendations that the Ministry of Health was contemplating or proposing. Then, of course, at the end of the day, after she completed these—you can't call them consultations, because they weren't really responding to any specific recommendations; they were just nice little conversations about, "What do you think?" and blah, blah, blah.

Anyway, Ms. Stevenson presented her recommendations to the minister. Some people thought that maybe what they had told her might now become public knowledge, and maybe some of the concerns they had expressed, or if they'd made recommendations, they would now have access to that information. Well, not with this government. As I say, the bill is called "transparent," but when the recommendations were presented to the minister by Ms. Stevenson, I'll tell you, the iron curtain came down. Ms. Stevenson's report was considered advice to the minister and it was kept under lock and key. Nobody to this day has any idea as to what may

or may not have been said to Ms. Stevenson and what may or may not have been contained in her report to the Minister of Health. As I say, it was all done in a very clandestine, cloak-and-dagger manner. To this day, despite the fact that people would like to see her recommendations and her report, the Minister of Health has refused to make this information public.

People are saying, "So much for transparency. So much for accountability." In essence, there was no transparency. No information was made public after the discussions she had with stakeholders. What happened then? The minister, in haste, I guess, decided that perhaps he now had all the answers and he rushed to put together the piece of legislation that became known as Bill 102. As I say, this is all part of the textbook that you would write on how not to write legislation and how not to introduce it.

Anyway, he decided that he would come out with this Bill 102, which he introduced on April 13 of this year, barely two months ago. He rushed to put it together, and it's obvious, when we take a look at the bill, how poorly it was drafted and how much it needed in the way of amendment. In fact, there's still a lot that needs to be done. He very sneakily introduced the bill on the Thursday before a weekend. Then, to make matters even worse, we only spent three days discussing this bill. I have to tell you that this bill deals with a massive overhaul of the drug system in the province of Ontario—by the way, an overhaul that we in the Conservative Party support, that was needed and that was very necessary. However, we do not support the manner in which the overhaul occurred, the lack of consultation and the lack of opportunity for any public debate.

1600

Anyway, we had three days of debate on this bill, and the government decided to come down with a sledgehammer the likes of which I have not seen in my 16 years in this House. They not only were going to time-allocate this bill, they slammed shut debate on second reading, they slammed shut debate in the committee and they slammed shut debate on third reading. It is very unusual for this to happen. So much for consultation, so much for transparency and so much for accountability. This was a very heavy-handed measure.

As I said, they came down with a sledgehammer. They shut down debate, they shut down discussion and they set down consultation because, I guess, they wanted to get this through before the House rose for the summer, and also because they realized this bill was becoming an embarrassment, not only to the minister but also to the McGuinty Liberal government. People were starting to write, as I indicated before, very unflattering opinion pieces and other articles in the newspapers in Ontario. There were negative media releases put out. Whether it was TV, radio or print, there was a lot of dissatisfaction with this legislation when people found out what the consequences of the legislation were, the fact that it wasn't going to improve access to drugs, that it was really more or less focused on cost containment.



The Liberals realized, "We've got to shut up public debate and discussion on this issue," so they introduced a time allocation motion the likes of which I can't recall seeing in this House. They realized they had to move quickly. It was becoming an embarrassment to the Liberal government. They were hoping that if they moved quickly enough, there wouldn't be any more people who would come to the realization that this bill was poorly drafted and did not achieve great outcomes for patients in Ontario.

Despite their attempts to introduce this sledgehammer time allocation motion, they didn't and couldn't move fast enough, because stakeholders were starting to take notice. I can tell you that our office started to receive phone calls, e-mails and faxes, and we had people wanting meetings with us, because they all had very serious, grave concerns about this legislation.

We heard from patients. We heard from pharmacies. We heard from a lot of individual pharmacists who were concerned that this bill was going to lead to the closure of their pharmacies, particularly those in rural and northern Ontario. We heard from those who said they were going to have to lay off staff. It appeared that many communities in this province might not have a pharmacist in the future, and in some of our small communities, they are the only health professional; there are no doctors. This was going to be a very significant gap in the delivery of health care to people in Ontario.

Of course, the brand and generic industries had their own concerns. There were few people, few individuals, who were not concerned about Bill 102. As I say, the government, despite their attempt to move with lightning speed and apply a sledgehammer, were not able to close down some of the concerns. In fact, I'm going to speak a little bit later about a coalition, a group of people in the pharmaceutical industry who came together and put forward on the record some very legitimate concerns around Bill 102, and that was the Coalition of Ontario Pharmacy.

Also at this time, there was a lot of confusion because the minister and his staff started having meetings with all these stakeholders who became irate and confused. They were hearing one thing from the minister—they'd hear him say something in the Legislature or in a television interview and then they'd read something else about what had happened in the Legislature. I just want to tell you, there was a lot of confusion around what was in the bill and what wasn't in the bill. The truth of the matter was that the minister had made a lot of statements on the announcement of the legislation and, regrettably, a lot of what he was saying was nowhere in the bill. For example, the councils, citizens—nothing was there. So people were worried.

As I say, one of the biggest groups to become concerned were the pharmacists in the province of Ontario. They were very concerned about the fact that if this bill went through as it was, there would be, as a result of an analysis that they did, about 300 pharmacies closing. It's nice to know that somebody finally did an analysis,

because obviously the minister and this government had never done an analysis of the consequences of introducing Bill 102.

They also were concerned because, despite the fact that this bill was saying it was going to provide them with some compensation for providing cognitive services, how could this be positive if there were no pharmacists in the province to provide these cognitive services if they would have had to close their pharmacy?

These people were among the first to do an actual impact study and analysis, something that the government did not do. I find it unbelievable that a bill like this, which introduced such a comprehensive reform of the drug system, would not have an analysis or an impact study attached to it.

Then we have the research-based pharmaceutical companies and the biotechnology researchers. They couldn't understand what this government was doing either because, on the one hand, we had the Premier, who had travelled to Chicago for BIO 2006 and who had proudly proclaimed to all assembled that Ontario was open for business, while at the same time, back at home, his Minister of Health was introducing legislation that would negatively affect this same industry in Ontario.

I want to quote an article from the National Post on June 6, which was entitled "Killer Drug Plan." It was written by Russell Williams, the president of Rx&D. He says:

"We have to seriously ask ourselves what kind of environment we need to ensure that Ontario graduates will be able to stay in Ontario, given the competition not only for the best and brightest graduates, but also for the billions of dollars globally in life-sciences R&D. Overall, we believe Bill 102 as drafted will have a negative impact not only on the quality of patient care but on Ontario's ability to attract jobs, investment and research. And it creates a major conflict in the province's economic growth strategy: The two strategies are inconsistent and incompatible. We believe this proposed legislation, if passed as written, will eventually vastly reduce the amount of R&D carried out in Ontario, force companies to outsource clinical trials to other markets, thus denying patients early access to new therapies, affect our ability to support hospitals, universities, community programs and charitable causes, and make it very difficult for start-up biochemical companies to bring products to market. So we need to step back and take a long, careful look at all of the factors involved in this debate."

1610

I think you can see that there was a lot of concern about this bill. If the minister had done due diligence, had a true consultation process, we wouldn't have had this concern. Now the minister, after hearing all this, is scrambling. As I say, by now his staff are out there trying to have these secret meetings with different stakeholders, trying to appease them in order that some of the noise would disappear.

However, by now we had a very serious problem on our hands. The bill had been time-allocated and we were



going into committee hearings. We all knew that they were going to be nothing more than political theatre and a farce, because there was no opportunity for true input from the public. This time allocation motion shut down debate in committee, it shut down debate at clause-by-clause consideration, and it is shutting down debate today on third reading. In fact, there is not even an opportunity today in third reading for each party to speak to the amended bill for an hour.

I'm going to read the time allocation motion. I think the people in the province of Ontario deserve to know how heavy-handed the McGuinty Liberal government is when it comes to preventing public input and debate on an issue as critical as drug reform.

Time allocation motion: "That, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act, when Bill 102 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the standing committee on social policy; and

"That no deferral of the second reading vote shall be permitted; and

"That"—here's where it becomes unusual—"in addition to its regularly scheduled meeting times, the standing committee ... shall be authorized to meet at the call of the Chair on May 29, May 30, June 5, June 6 ... for the purpose of conducting public hearings and clause-by-clause on the bill."

Normally, a subcommittee would get together and make some of these decisions concerning hearing dates and hearing times, and also clause-by-clause. Then it says—this is unbelievable, too—we can have these public hearings right up until June 6; however, the motion goes on to say:

"That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 noon on June 6"—unbelievable. There was no time for anyone to analyze the written submissions that we got from the public. There was no time to thoroughly analyze the presentations that were made to the committee. And obviously, there was insufficient time for anybody to draft amendments in order that they would be ready on June 6 at 12 noon.

Anyway, it says that on June 6, "On that day, at not later than 5 p.m. those amendments which have not yet been moved shall be deemed to have been moved"—a very unusual move—"and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been

put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

"That the committee shall report the bill to the House not later than Wednesday, June 7, 2006. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House."

This is democracy? Unbelievable.

**Mr. John Yakubuski (Renfrew–Nipissing–Pembroke):** It's a joke.

**Mrs. Witmer:** It is a joke, as my colleague here just said.

"That, upon receiving the report of the standing committee on social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order may be called on that same day; and

"That, on the day the order for third reading of the bill is called, the time available for debate up to 5:50 p.m.," which is today, "or 9:20 p.m., as the case may be," which will not be the case, "shall be apportioned equally among the recognized parties; and

"That, when the time allotted for debate has expired," and I see I have 18 more minutes and 21 seconds, "the Speaker shall interrupt the proceedings and put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

"That the vote on third reading may be deferred pursuant to standing order 28(h)," which I understand is going to be done, "and

"That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 10 minutes."

Well, I think, as you can see, this time allocation motion shut down committee hearings. It has shut down debate on this bill. For the government to put the word "transparent" in front of this bill is a joke. It is a misnomer. In fact, I thought we were part of a democratic institution, but I will tell you, the way in which Bill 102 has been handled in this House is an embarrassment to this House and it should be an embarrassment to the government. There was no transparency, and all the stakeholders did not have the opportunity to participate.

In fact, this bill created a tremendous amount of anxiety for families, for pharmacists, who thought they were going to lose their pharmacies or have to lay off staff. This is not how we deal with legislation in Ontario. This bill was conceived in secret, it was amended in secret—well, there was no time to debate the amendments. I showed you what the time allocation motion was like.

There were 314 groups and individuals who asked to appear before the standing committee on social policy; only 99 could be accommodated. Even then, we couldn't have the normal time of 15 or 20 minutes; we could only have 10 minutes. I don't know how people could defend the action they took on this bill. Presenters would come in—it was a joke, unfortunately. The Chair tried to do his job to the best of his ability and he had to cut people off



in the midst of their presentations. There was no opportunity for us to ask anybody any questions. If we tried to, we'd be cut off in the middle of our question. There was just no opportunity to engage in dialogue with those who were coming in with really legitimate concerns. And then the hearings ended suddenly on Monday, June 5, at 6 o'clock.

As you know, in this House, when you have a committee, you have a time period between the final hearings and such time as you do clause-by-clause in order for the clerk to put together a package that talks about the presentations of the various presenters and about the recommendations they made for changes to the bill. I can tell you, as a member of that committee, the poor legislative clerk had no opportunity to do any of that work. There was nothing. And then, you had to have your amendments in.

I want to thank my staff, who worked really hard. I want to thank Erin and I want to thank David and I want to thank Marie. Those people were here working almost 24 hours, seven days a week from the time of the introduction of this bill. I want to thank the many stakeholders who were kind enough to actually draft amendments for us, because there was absolutely no time to do so in the time that was allocated.

At one point, one of the members of the committee from the other side said, "You agreed to the time allocation motion." Can you believe it? Unbelievable. I don't think they even understood what the government had been doing.

1620

**Interjection:** They still don't.

**Mrs. Witmer:** My colleague tells me they still don't.

There was not enough time for proper consideration of what this committee heard. As I say, over 300 people wanted to present; we only heard about a third of them and we had hundreds more who presented us with written deputations. It was impossible for us. It really was a farce.

I think of these people in the province of Ontario who had a legitimate concern to share with us about this bill and who spent a lot of time drafting letters and recommendations and concerns. If the truth be known, there was no chance. There was no humanly possible chance for anybody to have read what those people had written. I think that's embarrassing for us, who say that we live in a democracy. There was no democracy when it came to Bill 102.

Amendments were submitted. There were 177 in total. This is in a bill that's barely 30 sections long. I am pleased to say that, thanks to the hard work of our staff, and certainly the stakeholders in the province of Ontario, we were able to introduce on their behalf—because all of our amendments were a result of what we had been asked to introduce to attempt to improve this bill. We introduced 84 amendments on behalf of stakeholders. The NDP, which worked alongside us, introduced another 56. The Liberals introduced 37 to their own bill, which tells

you how badly flawed this bill was. I think that speaks to that.

The members of the committee got a copy of the amendments as we were sitting here in the House in the afternoon, attempting to do what we needed to do in question period. We got them about an hour before clause-by-clause started. In fact, the copies were still warm from the photocopying machine. I tell you, I am a speed reader, but I cannot read 177 amendments in the time period that was allocated to us. So there was no time to read the amendments, let alone understand the implications of the amendments that had been put forth by the other two parties.

It was bad enough that we only had one hour to read them, even though we're supposed to be busy here in the House and paying attention to question period, that we only had one hour to debate the amendments, because at 5 o'clock all debate ceased. In fact, we were only at amendment 29 out of 177, but once that magic hour of 5 o'clock came, according to the time allocation motion, we were now voting on amendments that we didn't have time to read or understand the implications of. What a farce.

**Mr. Frank Klees (Oak Ridges):** Democratic renewal.

**Mrs. Witmer:** Yes, democratic renewal, as my colleague says. The government talks about democratic renewal. I'll tell you, this bill was anything but democratic. Things were moving so quickly that most of us could barely turn the pages fast enough to keep track of what amendments had been accepted or defeated.

At the end of the day, the government wanted to say that they accepted one of our amendments and one from the NDP. You know what? The way this bill was introduced, the way this bill was moved through this House, the way this bill went into committee, the way that clause-by-clause took place, the way we're debating third reading today—I will tell you, this is not how governments should be introducing and passing legislation.

Most of what happened, when it came to this bill, was based on some secret negotiations that were taking place at the same time as we were having hearings in committee and having discussion in this House, because the government realized what a bad bill it really was, and so some changes were made. But I'll tell you, the method that this government used is shameful. I want to contrast that, because the government could have done a good job.

As I say, we agree with the need for drug reform, but they could have done what they did in the province of Quebec. I want to talk a little bit about the province of Quebec and their process. They had a consultation paper. They had a white paper.

This is what Grant Tipler, president of the Toronto Biotechnology Initiative, says:

"Contrast the Ontario process with the more respectful process of drug policy review in Quebec that began in 2004 with a government policy paper, public hearings, followed by legislation last year. The Quebec policy paper recognized the importance of balancing the health



policy objectives of access to formularies, fair and reasonable prices and optimal drug use with maintaining a dynamic pharmaceutical sector in Quebec. This final policy objective—a dynamic pharmaceutical sector—is inexplicably missing from the Ontario exercise. To quote from the Quebec paper, “The pharmaceutical sector is a major player in the Quebec economy. It is therefore important to link health and industrial policy in order to ensure that the government acts coherently in these fields.”

That type of statement was totally missing from the Ontario initiative. In fact, I’ll tell you, Mr. Speaker—and I hope you have a chance to take a look at this draft pharmaceutical policy that all people in the province of Quebec had an opportunity to read. They had broad consultations after they put it out. They were really interested in getting reactions and getting suggested improvements. As they say, they wanted to make Quebec’s first pharmaceutical policy something that everybody in the province could support.

This is what they say in their executive summary:

“Considering the amount that the Quebec government spends on prescription drugs, their crucial place in the health and social services system, the unique nature of the product and its use (which should be optimal), and the great number of parties concerned such as patients, health professionals and pharmaceutical industry, it is important to have a coherent vision”—boy, was that lacking from Bill 102—“for pharmaceutical policy. The government has chosen this policy to give it a common vision and to guide its actions, in particular in finding an acceptable balance between increasing needs, vulnerable health care users who need protection and the ability of society to support such a system.

“The pharmaceutical policy contains four main themes: accessibility of medication, fair and reasonable prices, optimal drug use and a dynamic pharmaceutical industry in Quebec.

“This draft project contains 34 ministerial proposals based on these themes.” Unbelievable. Here’s a government that has a vision and wants to make sure that people have input, have an opportunity to respond to some of their recommendations. This government did nothing similar in any respect.

So I hold this up. I hope the Minister of Health in the province of Ontario, and the Premier, at some point have an opportunity to take a look at this document, because major legislation such as this overhaul of drug reform—if we had used the same method as they had here, we wouldn’t have had headlines like I read before, such as, “A Bill to Kill,” “Bad Drug Reaction,” “New Bill Will Hurt: Pharmacists,” and “Support for Smitherman Drug Law Turns Wobbly.”

If we had had the same type of consultation, we would, at the end of the day, have had a bill that responded to the needs of everybody in Ontario and that actually would have been of benefit to the people who it obviously matters to most: the patients. Instead, we had a very flawed process from start to finish, and the minister,

at the end of the day, had to back down to save face and embarrassment.

1630

**Mr. Yakabuski:** He should have withdrawn it.

**Mrs. Witmer:** My colleague says he should have withdrawn it. I would tend to agree. In fact, I read an article today that speaks exactly to that point. I can’t find it right now, but it says that the minister would have been best to have withdrawn the bill altogether. There is still a tremendous amount of concern about this bill.

This government failed to see the train wreck of the bill they introduced. I don’t know whether this was the result of the minister’s own making or whether it was based on poor advice. They didn’t achieve the savings they were going to achieve, and at the end of the day, we had a lot of people who were obviously extremely concerned.

I want to congratulate the Coalition of Ontario Pharmacy. I think these people had as much of an impact as anybody else on making some changes to the bill that were desperately needed. They were a non-partisan group of pharmacies, pharmacists, patient advocates and health care groups who were concerned about Bill 102’s threat to the sustainability of community pharmacy. I’ll tell you, they were able to mobilize in very short order. They were able to bring their members to Queen’s Park. They had a rally. They sent letters. They sent e-mails. This was a grass-roots organization. It shows you that when people are prepared to take action against something that obviously was going to have such a detrimental impact, they can make changes.

I applaud these individuals who got together. Billy Cheung was a key leader in all this, but there were a lot of people who played a very significant role.

What more can I say? In the Toronto Star, Thomas Walkom said, “Big Pharma Versus Ontario Government No Contest; Major Climbdown On Drug Reform Bill.” The government had poorly considered the impact of this bill on pharma. It was really an embarrassing drafting. Canadian Press: “Pharmacists Win Battle Over Ontario Drug Bill, Get To Keep Some Rebates.” I think you can see that the minister had to step down. I could go on and on. We have, from Command News, “Even after the amendments from the government, there are still serious concerns about the bill.”

I’m going to conclude—I have 30 seconds left—by saying that this was a good example of how not to introduce legislation, how not to involve people in Ontario in the introduction and major overhaul of drug legislation. The time allocation motion was unlike any I had ever seen. I hope that at the end of the day people in this province will remember how this government deals with them.

**Ms. Shelley Martel (Nickel Belt):** I will be using up all the time allocated today for New Democrats. I wanted to say that at the outset.

I want to begin by thanking a couple of people who were very instrumental in terms of dealing with this bill. First of all Ralph Armstrong at legislative counsel, who



drafted the amendments for the NDP, who had to do it in a very time-limited fashion. I appreciate the enormous efforts he made in that regard.

I want to thank Billy Cheung, Allan Rajesky and Rita Winn from the Coalition of Ontario Pharmacy. Frankly, those three people were instrumental in mobilizing a number of independent community-based pharmacists to make it to the public hearings and to come to a rally that was held at Convocation Hall and, as well, to send the government testimonials of their own personal situations with respect to how the bill was going to negatively impact their pharmacies. I can tell you that without that effort, I'm sure the government would not have understood at the end of the day the ramifications of the original drafting, and I'm sure the government would not have backed down, had it not been for the very real stories that came to the committee through the committee process about how the bill was really going to it be detrimental and, in so many cases, actually shut down pharmacies in many rural and northern parts of the province.

I want to thank Marc Kealey as well, who is the CEO at the Ontario Pharmacists' Association, which provided amendments to the committee. We put some of those amendments forward and, regrettably, all except one were voted down.

I want to say, as I begin my debate on third reading, that the debate this afternoon really represents a bad ending to what has been a very bad process for this bill. I want to reiterate what my colleague the health critic from the Conservative Party has said in that regard.

Third reading debate here this afternoon is time allocated as a result of a government motion that was debated on May 9, which effectively shut down any further debate at second reading. The government motion unilaterally chose the limited three days that the committee would have for public hearings on the bill. The government motion unilaterally imposed a clause-by-clause process for amendments, which at best was a farce. That's the nicest word I can use to describe the process that took place last week. The government motion unilaterally imposed one day, this day, for third reading debate, which is going to come to an abrupt end at 5:50 this afternoon.

I want to reiterate to make sure that the point is reinforced that there was no negotiation amongst the House leaders about the government time allocation motion. There was no consensus among the House leaders about how Bill 102 would unfold with respect to how much debate on second reading, with respect to the public hearings, the clause-by-clause process or the debate on third reading.

The government dictated the process from the outset, the government dictated the whole process, and it was dropped on the opposition parties on May 8 as a time allocation motion, which we saw for the first time at about 5:15 that afternoon. It represented, in my opinion, the absolute worst way to deal with a bill. I think that what happened through that process is clear proof of that.

We are here today with a piece of legislation that, hopefully—hopefully, I say—will not shut down independent pharmacies in so many parts of Ontario, but we are only in that position because of the persistence and the efforts made by the Coalition of Ontario Pharmacy and so many pharmacists who came to the public hearings to convince the government that the bill, as originally drafted, was in effect going to destroy many community pharmacies.

I say to the government, it didn't have to be that way. It shouldn't have been that way. I hope that the government has learned a lesson through this process, that the way this was constructed, the way this was dealt with and the way it was rammed through is a recipe for disaster and can get the government into a lot of trouble. So I hope the government has learned something from the way this was handled.

In truth, many of the concerns I raised about the bill during second reading debate have not been resolved, so it will be no surprise to any member of the House that New Democrats are going to continue to oppose this legislation. I will put on the public record in the time that I have this afternoon the concerns that remain outstanding.

The first deals very specifically with the creation of the new executive officer for Ontario's drug programs that is set up under section 8 of the bill. This is an individual who is going to be appointed by order in council through the Lieutenant Governor, and this individual is going to have a broad array of new functions and new responsibilities that used to be overseen, used to be dealt with by the Minister of Health or the Lieutenant Governor and confirmed through regulation, so that there was an oversight and a process for the government to be accountable for the responsibilities that were being undertaken with respect to drug policy in the province.

1640

What is fascinating, and probably most troublesome, is that in the Ministry of Health now there already is a director of the drug programs branch. Her name is Susan Paetkau. She is a bureaucrat at the ministry and, as such, is accountable to the minister for decisions that she is party to. She is part and parcel, and that position is part and parcel, of an accountability mechanism which involves her being accountable to the minister for the roles and responsibilities and the decision-making that she undertakes. The minister, who is accountable for his responsibilities and decision-making with respect to drug policy, is accountable back to the public. And as part of this mechanism, the cabinet would have some responsibility for many of the approval processes that are now being transferred to the executive director, and that would be dealt with by regulation. So cabinet at the end of the day remains accountable back to the public because it assumes the final say with respect to those roles, responsibilities and decision-making. Frankly, I think that's the way it should be. It's good public policy to have those kinds of checks and balances and to ensure that important decisions that are going to be made, in this



case about drug policy, at the end of the day remain in the hands of the government, which is accountable to the people through the election process.

I very much regret that the government in this bill chooses instead to do an end run around an existing bureaucratic position and an end run around accountability mechanisms that involve the minister and the Lieutenant Governor, essentially cabinet, because I don't see that there is any good public policy reason to delegate important roles and responsibilities to someone who is not elected, who is not accountable and who is not a bureaucrat. I think that's very bad public policy.

I was intrigued by the efforts of the government to defend the appointment of the executive director through order in council. The defence that the government members put up was that this model that's being employed in Bill 102 is similar to what happens at OHIP these days. The title of the general manager of OHIP was used in this regard. This line of defence doesn't hold any water, because that's not how things work at OHIP. The OHIP personnel are ministry bureaucrats. I am not aware of personnel at OHIP who deal with day-to-day activities of OHIP who are appointed by order in council. If I am incorrect, somebody is going to correct me here this afternoon, but I am not aware of that situation. The personnel who deal with OHIP matters are ministry bureaucrats and they have the same type of accountability as I've already outlined with respect to the director of the drug programs branch currently at the Ministry of Health.

Secondly, no one at OHIP has the kind of decision-making ability that the new drug czar is going to have under this bill. For example, if at OHIP an insured service is going to be added to the schedule of benefits, that has to be done by regulation, that has to be passed by cabinet. If at OHIP an insured service is going to be delisted from the schedule of benefits, that has to be done through a regulation at cabinet; it cannot unilaterally be done by the general manager of OHIP.

But in this bill, the new executive director appointed by OIC can designate products as listed drug products, can remove these designations, and can do that by himself or herself. There may be a review committee that he or she will get consultation and advice from in doing that, but at the end of the day the executive officer has the authority to do that himself or herself. There is no requirement under the bill for those kinds of decisions to go back to the Minister of Health, or indeed to go to cabinet to be passed via regulation. That is a clear and very significant difference from what happens at OHIP.

The defence or the excuse that the government uses to justify the end run that's going on here around a current bureaucratic position is not one that holds water. It's not one, in fact, that's true. No one at OHIP has this kind of power. The personnel at OHIP, our ministry bureaucrats, are accountable. That's the way it should be at OHIP and that's the way it should be with respect to the drug program branch at the Ministry of Health.

I think it's worth putting on the record again some of the powers that the executive officer, who is appointed

by OIC, is now going to have. This is in section 8, that added subsection 1.1(2):

"(a) to administer the Ontario public drug programs;

"(b) to keep, maintain and publish the formulary;

"(c) to make this act apply in respect of the supplying of drugs that are not listed drug products as provided for in section 16;

"(d) to designate products as listed drug products, listed substances and designated pharmaceutical products for the purposes of this act, and to remove or modify those designations;

"(e) to designate products as interchangeable with other products under the Drug Interchangeability and Dispensing Fee Act, and to remove or modify those designations;

"(f) to negotiate agreements with manufacturers of drug products, agree with manufacturers as to the drug benefit price of listed drug products, negotiate drug benefit prices for listed substances with suppliers, and set drug benefit prices for designated pharmaceutical products;

"(g) to require any information that may or must be provided to the executive officer under this act or the regulations or any other act or regulation to be in a format that is satisfactory to the executive officer;

"(h) to make payments under the Ontario public drug programs;

"(i) to establish clinical criteria under section 23; and

"(j) to pay operators of pharmacies for professional services, and to determine the amount of such payments subject to the prescribed conditions, if any."

I point out again that these are quite exceptional powers and, in many of the cases, they represent powers that previously would have had to be confirmed by the minister or by the Lieutenant Governor through regulation, passed by cabinet. Those requirements no longer are in place, and I think that is wrong.

I just want to read from a presentation that was made to the committee by the Police Pensioners Association of Ontario with respect to this particular provision in the bill. Their submission said as follows:

"Committee members, in our view, the creation of an executive officer generates two important concerns:

"The first is that this person has far too much authority for such an important piece of legislation, and secondly, we feel the responsibility to manage and make decisions affecting so many vulnerable people should rest with an elected official, the Minister of Health and Long-Term Care. We don't understand why the minister would want to divest himself of such significant power to a non-elected individual. Perhaps valid reasons exist for the creation of an executive officer, but a more detailed explanation would be helpful for a better and more focused understanding of why this part of the legislation was introduced. There is also a worry of the costs associated to setting up another layer of bureaucracy which, in turn, could drain valuable resources from an already strained budget."

The third thing they said in this regard:



"It is also our understanding at this point in time that the Statutory Powers Procedure Act will not apply to the executive officer's orders, meaning that the executive officer need not follow statutory rules of due process other Ontario proceedings must apply. So should a drug manufacturer disagree with the executive officer's decision, they will not be afforded the right to appeal, but only apply for judicial review, which is available on only limited grounds. It is worrisome to us that the executive officer can manage outside established protocols."

It is worrisome to the New Democratic Party as well, which is why, during the course of the clause-by-clause, I moved amendments that would have done away with the government's provision to have an executive officer appointed by the Lieutenant Governor in Council, and instead have the roles and responsibilities outlined in the bill under the mandate of the current director of the drug program branch, who is a bureaucrat in that ministry; and secondly, moved amendments that would have restored the checks and balances which were in place in the current legislation for oversight by both the minister and cabinet through regulation-making processes.

1650

I regret that all of those amendments in that regard were defeated by the government. We continue to oppose the structure of the executive officer, the power that he or she will have and the fact that there are not in place the checks and balances that should be in place when important decisions on drug policy are going to be made.

The second concern that I want to raise is that the bill does nothing to guarantee that Ontario patients will get the drugs they need when they need them for the price they need them, and that is certainly true in the case of cancer patients who need intravenous drugs. So I completely disagree with the final comments made by the member for Mississauga South that this bill is going to ensure that people get the right drug for the right patient at the right time at the right price. I might be paraphrasing, but I think that's essentially what he had to say.

I have raised before in this Legislature my concerns regarding cases involving cancer patients, for example, who have multiple myeloma who need Velcade and can't get Velcade. I have raised cases in this House about colorectal cancer patients who need Avastin and who can't get access to Avastin. I have raised cases about people who have colon cancer and need access to Erbitux and can't get that.

The reality is that if the Drug Quality and Therapeutics Committee is still reviewing a cancer drug, or if the DQTC, and I'll use that short form from here on in, has turned down funding for an intravenous cancer drug, then there is no mechanism for cancer patients in the province of Ontario to access intravenous cancer drugs unless they go to a clinic in the United States and they pay a fortune to get these treatments in a clinic there, or they buy the drugs in the United States and they come to Ontario and they pay a fortune at the Provis clinic here to have these drugs administered. Either way, very few people have the cash to do this. We have set up in the province a two-

tiered system with respect to access to drugs, because if you need access to oral medication, you can use a section 8 or a conditional listing process, and that continues in this bill, but if you need access to intravenous cancer drugs, there is no special mechanism, no conditional mechanism, for you to get them if the drugs are under review or if the drugs have been denied, and there's something wrong with that process.

I want to read into the record a letter from one of my constituents which I think gives the whole picture. This was sent to me by Joe Bourque in November 2005.

"I am writing this letter to bring a great injustice to your attention. My wife, Patricia, was diagnosed with colon cancer in March 2003, she had surgery, and by June 2003, it had metastasized to the liver. Since then, she has undergone all the therapies and trials that were recommended to her by her oncologist and has done well, up until now. In the last two months her tumours have doubled in number and size. The only treatment is a drug that has been approved in Canada but not yet made available, nor has it been approved to be funded if received elsewhere. The drug is Erbitux and has proven to be life-sustaining in patients with colon cancer with metastases.

"In Canada, there are many patients in my wife's situation who are basically being denied treatment which can help them. Cancer is not curable, but when there's an option to extend your loved one's life and there is nothing you can do to get it, what does that say about our health care system....

"Unlike some situations, ours does not have the luxury of time. We are fighting for every moment and urgently need your help to push for funding in Canada. We need to have this drug available and covered. To tell someone who is in the last stage of their life that they can get this drug in the United States or at a private clinic at a cost of \$10,000 or \$15,000 per month is cruel. Is health care only for the rich?"

I raise this very particular issue because I was hoping that during the course of Bill 102 I would see, somewhere in the bill, provisions for cancer patients who need intravenous cancer drugs. I think this was brought home to us in a presentation that was made on June 5 by the Multiple Myeloma Support Groups of Hamilton, Toronto and London. Their presentation was very short and sweet, so I'm going to read it into the record:

"Key points

"(1) We urge you, as members of this committee, to ensure that the following features are clearly defined in the final legislation for the benefit of cancer patients in Ontario:

"—A conditional listing that allows access to new drugs during their evaluation for formal listing.

"—Rapid funding decisions for breakthrough drugs for life-threatening conditions.

"—A quick response, exceptional access mechanism that patients can utilize when they have no other method of obtaining lifesaving or life-extending drugs.

"Please make these features work.



“(2) Allow oncologists, at their sole discretion, to decide which drugs will effectively treat cancer patients and provide those drugs through the health system.

“(3) Protect Ontarians from crushing debt that may be a reality under a two-tier system where cancer patients must fund their own drug treatments.

“(4) Time is the enemy. Cancer patients with serious illnesses cannot wait.”

The reality is that Bill 102 is going to do nothing for these multiple myeloma cancer patients and other patients who need intravenous cancer drugs. Cancer Care Ontario made that point when Terry Sullivan, their representative, came to the committee and made a presentation on May 30. He said that “the amendments proposed in Bill 102 do not directly affect the reimbursement of intravenous cancer drugs through the new drug funding program, as IV drugs are primarily infused in hospital to outpatients.” It’s very clear that there’s nothing in the bill that’s going to help the folks whose concerns I have been raising.

The new drug funding program is essentially the formulary for Ontario’s intravenous cancer drugs. It is administered by Cancer Care Ontario on behalf of the Ministry of Health. The program reimburses about 90-plus hospitals for the costs of new intravenous cancer drugs after they have been approved by the Drug Quality and Therapeutics Committee.

In February 2005, however, a new wrinkle was added to this approval process. The new wrinkle is that there is now a joint committee that involves representatives from Cancer Care Ontario and the Drug Quality and Therapeutic Committee, who review and make recommendations with respect to intravenous cancer drugs to the broader Drug Quality and Therapeutics Committee, but it is that joint committee that essentially makes the recommendations, and it’s important to note that there are no patient representatives on that committee. That’s a huge concern because so many intravenous cancer drugs are being turned down for approval and for funding.

I raise that because in March 2006 we got a response from a freedom of information request I had made about intravenous cancer drugs, how many were being approved and how many were being denied. Since January 2006 there have been eight products or indications that have been recommended for funding through Cancer Care Ontario’s new drug funding program. Five were approved through a section 8 program because they were oral medications for cancer, and one ODB product was reviewed, but it was maintained under the ODB through a section 8 process. Fourteen products or indications were reviewed and were not recommended for funding under the new drug benefit program. Those included: Velcade; Avastin; Taxotere; Retaxin; all as examples.

There is no mechanism under Bill 102 to have cancer patients have representation on the joint Cancer Care Ontario DQTC subcommittee.

I moved an amendment during the course of the clause-by-clause and that was voted down. The amendment was very simple. It said as follows: “The minister

shall ensure that at least two patient representatives with voting rights are added to joint Committee to Evaluate Drugs/Cancer Care Ontario subcommittee which reviews and makes recommendations on intravenous drug therapies.”

I regret that the government voted this down, because the government said during the course of these hearings that they wanted more patient representation in how drugs were approved and in drug policy in the province. This would have been an ideal opportunity for the government to put patients on a committee that is actually making recommendations about intravenous cancer drugs. This was voted down.

**1700**

Worse than that: I tried to put into the bill an amendment that would allow for a section 8 process to be applied to intravenous cancer drugs as well, because I think it is unacceptable in the province that there is a provision for pharmacists to make an appeal to get a drug covered through a section 8 process, and this can be done if we’re talking about oral medication, but there is no mechanism in this province for an oncologist to make a request to get an intravenous cancer drug applied to a cancer patient where that may be the last choice and the last drug that can be applied. There is no mechanism for an oncologist to approach the ministry and get a drug covered under an exceptional circumstance or a conditional circumstance.

I think that’s wrong. That is why, during the course of clause-by-clause, I moved a motion that followed after section 16 of the bill which would have done the following:

Point number 4, intravenous cancer drugs: “If an oncologist informs the director of the drug program branch that the proper treatment of a patient requires the administration of an intravenous cancer drug which is not covered under the new drug funding program, the director may make the new drug funding program apply in respect of the supplying of the intravenous cancer drug by notifying the oncologist and by notifying Cancer Care Ontario.

“Same

“5. If an oncologist informs the director of the drug program branch that the proper treatment of a patient requires the administration of an intravenous cancer drug which is covered under the new drug funding program but not for the indications needed by the patient, the director”—that is, the director of the drug program branch—“may make the new drug funding program apply in respect of supplying the intravenous cancer drug by notifying the oncologist and Cancer Care Ontario.”

What that would have done, had it been accepted by the government, would allow cancer patients who need intravenous cancer drugs that are being reviewed by the DQTC at a time when they need them and the review is still under way or who have been denied those where an oncologist knows it is the only form of treatment left that might extend the life of that cancer patient—this process in place would have allowed that oncologist to make an



appeal to the director to try and get those intravenous drugs covered.

I really regret that the government could not accept this amendment. I don't know why the government wouldn't accept this amendment. We have read, for the last number of months, of so many patients who are forced to go to the United States, out of country, to try and get access to cancer drugs that are not being covered here or that are under review in Ontario. They are spending a fortune trying to do that. The reality is, while some have the money to do that or are borrowing from family or have some ways to do that, so many others can't and are dying without getting the cancer treatment that could sustain them or that, in some cases, could cure them.

I thought this was a reasonable proposal, and I remain, frankly, very angry and very frustrated that the government is just so unwilling to find a way to give cancer patients who need a drug of last resort a mechanism to allow an oncologist to apply for that. I do not understand the rationale for not doing that, and I certainly don't accept the two-tiered drug policy that we now have in place where some cancer patients, through luck or good fortune, can afford to go to the States and pay for intravenous drug treatments there, and so many can't and are, frankly, dying as a result. So that was turned down, and I was extremely unhappy to see that that was the situation.

There are a number of things left out of the bill that continue to concern me. New section 8 process: The government promised dramatically reducing paperwork for physicians and pharmacists, promised faster decisions in this regard, promised to have more open communication about decisions with respect to section 8, and it's worth noting that there is nothing in the bill, no provision that establishes that new process.

Secondly, the government promises a rapid review for breakthrough drugs. The government specifically said, and I quote, "... significantly speed up the review process for breakthrough drugs, by starting the review prior to the drug being marketed in Canada." It's worth noting that there is nothing in the bill about this process. There's not even a definition of "breakthrough drug" in the bill.

Thirdly, the government promised, "We intend to improve access to drugs by entering into partnership agreements with manufacturers. We aim to secure more competitive prices in Ontario's marketplace." It's worth noting that there is nothing in the bill that defines these partnership agreements, the framework for them, the extent of them, the potential terms and conditions—zero.

The government promised to pay pharmacists for professional services. I quote, "We intend to introduce a new payment for specific services that pharmacists provide for patients." It's worth noting that there is nothing in the bill with respect to the new payment scheme for pharmacists for professional services.

Fifth, the innovation fund: The government said, "We recognize the importance of innovation to our health system, and will fund innovative research projects that

will show the value of drugs within the health care system." It's worth noting that the establishment of the innovation fund wasn't in the bill. I moved an amendment to put it in the bill, and the government voted that amendment down.

Sixth, the Committee to Evaluate Drugs: The government said, "We will include two patient representatives as full members in the Committee to Evaluate Drugs (formerly the Drug Quality and Therapeutics Committee). These patients will be involved in individual drug funding decisions." It's worth noting that the government had no provisions in the bill for this, and it's worth noting that the government voted down my amendment to put this provision in the bill.

Seventh, the government said savings will be reinvested in Ontario's drug program. The member from Mississauga South gave a figure today: It was over \$200 million that will be reinvested in the drug program. It's worth noting that there is no provision in the bill that guarantees that any savings from this exercise will go back into the drug program—no provision at all. So there's no guarantee it's going to go back into the drug program; it's just as likely to go right into the consolidated revenue fund.

Public interest: There is no definition of "public interest" in the bill, even though the executive officer is going to make a number of critical decisions about drugs listing and delisting "in the public interest." There was no definition of public interest in the bill. It's worth noting that I moved a definition for public interest for the bill, and the government voted that down too.

So there was an effort that was made by a number of us to move forward amendments to try and improve the bill. This is the package of amendments that I moved. The only one that was accepted at the end of the day with respect to the Citizens' Council is frankly an amendment that the government should have had in the original draft of the bill. The original draft of the bill should have clearly stated there was going to be a Citizens' Council, that there was going to be a Pharmacy Council. It was silly that it was not in the bill. The one amendment that the government accepted from me in that regard was the citizens' committee, which frankly should have been in the bill in the first case. None of my other amendments were accepted.

I want to raise concerns about how much of the bill still appears in regulation. Essentially what we are dealing with is a framework here, and we are asked to trust the government with respect to the promises that it has made about how things are going to be improved in the drug system. Let me just run through some of the regulations that appear in the bill, because these provisions were not in the legislation, so we are left to hope that this will work out and that these will be good situations.

In regulations we have:

(1) The definition of what is not a rebate.



(2) The drug benefit price for the purpose of the section pertaining to rebates as including the price submitted by the manufacturer under the regulation.

(3) Definitions for words, expressions in the Drug Interchangeability and Dispensing Fee Act.

(4) The designation of a product as interchangeable with one or more other products between royal assent to the bill and October 1, 2006.

(5) Section 5.4, giving cabinet the power to make a regulation that can be applied retroactively so that its provisions may be effective from a date before the date that the regulation is filed.

(6) The Lieutenant Governor in Council can make regulations to clarify, modify, restrict the functions and the powers of the executive officer.

(7) Under subsection 10(5), set out in regulations: the conditions pertaining to the acquisition costs of a listed drug product.

(8) Set out in section 11(2): the creation of alternative payment mechanisms for pharmacy operators for certain classes of eligible persons such as long-term-care facility operators.

(9) Section 12.4(3), set out in regulations again: the conditions on the acquisition cost of a listed drug product for an operator of a pharmacy.

(10) or (11)—I'm not sure where we are anymore—the drug benefit price for the supply of a drug which the executive officer has agreed should be supplied as a special case will be determined by a regulation.

Section 27(1), defining any word or expression used in the Ontario Drug Benefit Act—that has not been defined in this act.

Defining professional services for the purpose of clause 1.1(2)(j) governing the payments that may be made for professional services and conditions to which the executive officer is subject in making payments for professional services.

Under section 27(4), under regulations again: those conditions that will pertain to the acquisition costs of a drug product.

Under section 27(5): establishing the alternative payment mechanisms between the executive officer and pharmacy operators for certain classes of eligible persons as specified.

1710

Section 27(9): Regulations that will set a maximum markup of the drug benefit price, not just a percentage.

Section 27(11): The Lieutenant Governor in Council will regulate not only the dispensing fee but also set out the conditions for payment of dispensing fees to operators of pharmacies.

Section 27(15): The Lieutenant Governor in Council may make a regulation respecting how the drug benefit prices are to be calculated for the purposes of the exceptional access program under the Ontario Drug Benefit Act.

There's more, but I think you understand my concern. So much of this bill is in regulation. So little of it, in terms of government promises, actually found its way

into the legislation itself. Important provisions of the bill, important principles that the government wants to focus on, that the government makes—and the government made a lot of promises during the debate on this bill and certainly in its draft documents to stakeholders. Those provisions should have been included in the bill. Many were easy to be included in the bill and that's the way it should have been done. I regret that so much of this bill is now left to regulation.

Finally, the last concern I want to raise really involves how much the government missed the mark when it came to understanding the impact that this bill, before it was amended, was going to have on small, independent community pharmacies. Frankly, it would be an understatement to say that the government totally misunderstood and did not comprehend the impact that the original draft of the bill was going to have on so many small pharmacies.

It's interesting that on second reading, when I read into the record two letters that expressed concerns that I had received from pharmacists, the member from Mississauga South, at the end of my remarks, asked me to send him a copy of the concerns. He also said, in his two-minute response to my remarks, "The intent in the consultations is not to impact upon pharmacists, whom we are putting as front-line health care workers in this bill. We are going to give them dispensing fees, we're actually going to increase their fixed fee, and we're hoping that this will all be neutral, if not positive. The alarmist nature of her comments"—my comments—"I think, is overstating the case."

I think the member from Mississauga South and his Liberal colleagues found out, as we went through the public hearings, that the bill was not revenue-neutral, that I was not overstating the case, and that in fact there were alarm bells that went off all over the public hearings and during the course of the public hearings from many pharmacists who knew they were going to be impacted, given the bill as it was drafted.

I want to read into the record a couple of presentations in that regard so you get a flavour of what was said by pharmacists during the course of the public hearings. This is from Rosanne Currie, who is a pharmacist and an owner of two rural pharmacies in southwestern Ontario, Pellow Pharmasave in Walkerton and Lucknow Pharmasave in Lucknow. She says as follows:

"The compensation by the Ontario government to pharmacies has been flat over the last 16 years. There is no doubt in my mind that the funding that we have received from manufacturers has enabled my pharmacies to provide the patient care services over these last number of years .... I am able to have staff in place to support my patient care initiatives.

"At my pharmacies we offer valuable clinics throughout the year on topics such as diabetes, arthritis, heart health and osteoporosis. We have held very successful flu shot clinics at both of our stores with over 400 people attending this past fall. I might add that I lose money on



these clinics because it costs me more to provide the service than what the government reimburses....

"Another aspect of my business is that we provide extensive services to our nursing homes and residential lodges within our communities. In addition to supplying these facilities with medications, we are active members of multidisciplinary teams and make recommendations to drug therapy, we perform quality assurance audits, we are an active member of infection control and prepare so that flu outbreak plans are in place, we provide in-services to staff and families on health-related issues and offer after-hours emergency services, just to name a few....

"Small-town pharmacies rely on a large percentage of their business to be generated from prescriptions. We do not have a large front-shop (retail) sales volume or corporate drug plans to generate viable business....

"Please be careful in the full consideration of Bill 102. If passed in its present form, community pharmacy services will change drastically. The pharmacy retail business, especially in rural communities, will be decimated."

Let me read, as well, from a presentation that was made to the committee by another pharmacist. His name is Glenn Coon.

"My wife Pat and I own Port Rowan Pharmasave in the town of Port Rowan, Ontario, which is in Norfolk county in the southwest part of our province...."

"You have heard it for weeks now. Bill 102 will take non-taxpayer money (the so-called generic rebate) and replace it with taxpayer money at a much reduced rate to the pharmacist.

"No expert would have ever come up with that.

"Bill 102's expert had me actually losing money providing high-cost medication to my cancer and HIV-infected patients until the Minister of Health removed the \$25 cap. How did that get into the act in the first place?

"If this bill passes without the amendments proposed by the various pharmacy associations, at fiscal year-end 2007, I will not be paying any corporate income tax. Given the new bill's income sources, less the old outlawed income sources, I expect to lose between \$120,000 and \$150,000 in revenue. I fully expect to operate at a loss in fiscal 2007. That kind of loss may be able to be withstood in busy urban pharmacies or in pharmacies with big front shops.

"I provide more than a dozen community seminars annually. I've partnered with the Ontario Provincial Police and the Grand Erie District School Board for more than 15 years in the values, influences and peers ... program given grade 6 students ... outlining the importance and dangers of prescription, non-prescription and illicit drugs. Lions, Lionesses, women's institutes, men's groups, church groups and our own five-times-a-year Pharmasave community wellness seminars and clinics held at the Community Fellowship Church ... are all a part of giving back." He also went on to describe how Pharmasave even supports missions overseas.

He was very clear what the proposed legislation meant. It was because of him and because of many other

community pharmacists who came to the committee to outline their personal situations, given what was in the original bill, that the government was forced to back down and make changes to the bill, which hopefully will not now significantly impact on pharmacists and pharmacies. But had the process been different, we could have avoided all of that.

I hope Ontario pharmacists are going to have a greater role in Ontario's health care system, but so many of them must be wondering about the real government intentions, given the original drafting of this bill. I hope the section 8 process and the rapid review process will be put into effect, but since there's nothing in the bill, it's hard to know what we're moving to. I remain very frustrated that cancer patients will not have access to conditional listings for intravenous cancer drugs and I remain very much opposed to the creation of the executive officer, whose functions I think should be part of the role of the current director of the Ontario drug program branch.

**Ms. Kathleen O. Wynne (Don Valley West):** I'm very happy to weigh in on Bill 102. I spoke once to the bill earlier and I've been through the committee process now. I want to acknowledge both the member for Kitchener-Waterloo and the member for Nickel Belt as being really very articulate and wise on the health care issues, and they were very helpful on committee.

I'm really very proud of our government's record on committee process, so I want to talk about process just for a couple of minutes. The member for Kitchener-Waterloo made a number of comments about process that I think need to be addressed. I understand that time allocation is not something that everyone in this House thinks is a great idea. It's not something that any government should choose to do frequently or unadvisedly. In fact, we don't take time allocation lightly at all. It's not our first choice in any instance, after eight years of basically having legislation thrust down their throats. I think the member for Kitchener-Waterloo has to acknowledge that the record of the previous government on time allocation and allowing full debate on bills and sending bills to committee so they can be debated and amendments can be brought forward is really very thin.

I just want to read some numbers into the record. Our government has introduced 94 government bills, passed 72 bills and only time-allocated 14 bills.

**Mr. Peter Fonseca (Mississauga East):** A great record.

**Ms. Wynne:** That's a very good record, considering that we've time-allocated fewer bills than any government since 1990 and considerably fewer than the government of which the member for Kitchener-Waterloo was a member. They time-allocated 102 bills. In fact, in the last session, the Eves government used time allocation on 83% of government bills that received royal assent. So far, we have time-allocated about 10% of our bills. So I think we need to put that in context. It's not our first choice, it's not what we want to do, but in the context of what's come before, we are doing very well in terms of debate in this House.



1720

The other piece of this in terms of the provision of opportunities for debate is the committee process. The member for Kitchener–Waterloo and the member for Nickel Belt are two members with whom I have worked on committee on a number of bills now, and they are extremely helpful to the process. They're extremely helpful in terms of getting people to the committee to bring their points of view. They're extremely helpful in terms of analyzing the merits of pieces of legislation. That's why committee works, because all parties engage in that debate.

In 2003, the then Progressive Conservative government allowed for no committee time, and no third reading debate was used when time allocation motions were in place. Again, that's a piece of the context that we have to have on the record so that people who are listening to this debate this afternoon can understand that we are working very hard to provide full opportunity for debate in this Legislature and in the committee process. I don't know if any of our bills haven't gone to committee. We have had full debate and full committee hearings on our legislation.

Having said that, I want to make a few comments on the legislation. I know that the parliamentary assistant talked about the legislation and the impact that it's going to have. I want to draw the Legislature's attention to some of the comments that were made during committee, but I want to just follow up on what the member for Nickel Belt was talking about in terms of the impact on pharmacy and the impact on the transparency. The fact that we went through the committee hearings and the fact that we had delegations come to us and bring their concerns—that was the process that led us to amend the bill in the way that we did.

The member for Kitchen–Waterloo talked about secret meetings with stakeholders. Well, in fact, what happens when a government takes a bill to committee is people come, speak to the legislation and bring their concerns. There has been an ongoing dialogue with many of the stakeholders before the legislation comes to the House, because that's how legislation gets drafted. Once the committee hearings are in place, then that discussion goes on and the amendments are refined in consultation with the stakeholders. The reality is that many of the amendments that come forward, especially from the opposition benches, are amendments that have been brought to the committee by the delegates, by the people who come to committee to speak to the bill. That is the way it should work. There should be meetings with stakeholders. There should be conversation about what the amendments should be. In fact, those conversations lead to a better piece of legislation.

I can tell you, when I was a parent activist and the member for Kitchener–Waterloo was the Minister of Education, there were no secret meetings, there were no public meetings—there were no meetings. There was no discussion about amending legislation, there was no discussion about policy, because the Minister of Education

at the time wasn't interested in what the community had to say about the government's actions. So the fact that we have had discussion before the bill is drafted, committee hearings and debate in the House and meetings in order to help us draft the amendments speaks to the openness of our process.

The amendments that we put forward that have now been made to the bill mean that Bill 102 continues to ban rebates, but proposes to narrow the scope of the legislation to permit pharmacists to receive defined professional allowances. That will mean that within a code of conduct, pharmacists will be able to receive those professional allowances and will be able to carry on many of the programs that the member for Nickel Belt was talking about. The kinds of public education and specific age group, people who are taking specific medications—it allows pharmacists to provide those services. We've refined that professional allowance piece and we will put a new code of conduct in place.

We're including the Pharmacy Council and the Citizens' Council in the legislation to support the government's intent regarding the formation and need for these groups. Those groups were going to be formed, but people came to us and said, "You should put them in the legislation." We're putting them in the legislation.

We are going to further improve transparency by requiring the executive officer to prepare an annual report. I know the member for Nickel Belt is concerned about the executive officer. There will be a requirement to have an annual report, and we're reinforcing the government's intent that the act does not permit therapeutic substitution. A number of people came forward with the concern that therapeutic substitution could happen. We're making it clear that it can't, and we're also leaving in place the ability of physicians to specify "no substitutions."

So we listened to what people said, we made those changes, and that is exactly what should happen in a committee process.

I want to spend just a few minutes going through some of the material that was provided by one of our presenters. She didn't actually speak to each of these issues, but she gave us written material afterwards. Her name is Armine Yalnizyan, and she's an economist and research associate at the Canadian Centre for Policy Alternatives. I have heard Armine speak on a number of issues regarding health care policy, and she's very articulate, very intelligent and, I think, very analytical. The document that she left with us following her presentation on Bill 102 on June 5 is divided into three parts. The first part is, "Why you should do this," speaking to us as the government, why we should go ahead with Bill 102. The second part she talks about is why we need to do it now and not later, and the third piece is why this is a model for the nation, and the leadership role this province can play. I just want to make a few of her points. In speaking to us about why we should do this, why we should go ahead with Bill 102, she says this:

"Everyone on this committee, everyone in every party, every consumer should stand behind" this bill because of,



first, “the efficiencies gained”—and the vernacular there is, “don’t waste my money as a taxpayer”—and secondly, the “potential for improving equity”—in other words, “don’t leave the ill behind, based on the size of their wallets.”

She goes on to say, “As elected officials of three separate parties, your interests should be firmly behind this initiative.” She says the “Conservatives tried to introduce price-volume controls in 1998,” the “NDP stand for preserving and enhancing access to basic services,” and, to her mind, “the measures in this bill meet both tests.” So her approach was that this should receive all-party support, for those reasons.

She talks about the major strokes in the bill that address the real issues. She says, “We pay too much for generics, only price control legislation is the 70% rule on their price vis-à-vis brand name products. That’s being brought down to 50%,” and she thought that was a very good thing. Her contention is, “We pay too much for patent drugs,” and she’s talking about the government being able to leverage their buying power and that we shouldn’t be paying premium prices because of our buying power.

She makes the sustainability arguments that health care costs are rising faster than revenues, that pharma growth rates are the biggest cost drivers, that we, as elected officials, all of us, wrap ourselves in the values of universal health care and accessible health care, and in order to sustain—

**Interjection:** Sustainable.

**Ms. Wynne:** Exactly. In order to sustain our health care system and make those values live, we have to control costs.

She goes on to say that we, “Can’t hang on to principles of access for all citizens without admitting will have to pay more over time.” So we have to acknowledge that and we have to find ways to control those costs in order to make the system sustainable.

She makes a number of points about why we have to do this now, why the timing is important. She makes the point that there is much more aggressive marketing on the horizon and we need to be aware of that, but she says, “You need to find efficiencies to preserve and enhance equity. There is only one true solution for making citizens—all the citizens you serve, the people who elect you—get the care they need, which includes pharmaceutical,” and that is “through the publicly funded system.” The only way for us to do it is through our publicly funded health care system. No matter which party is in charge at this point, she’s saying, this is what we have to do.

Finally, she talks about, “Why this could be a model for the nation, a nation-building exercise.” She says, “This is a model of governance that talks about what governments can do for people—save money in a way that people/businesses can’t because of economies of scale, set rules in a way that private sector players can’t, and make sure the benefits are distributed to all citizens,

not just some subset who have insurance or a bigger wallet.”

I think Yalnizyan’s arguments are very compelling. They are the reasons that underlie why we’re doing this at this point.

1730

The final thing I’d like to do is go through a whole sheaf of papers here. I’m not going to read from each of these, but these are some of the people who are supporting this legislation. I think it’s important to know the broad range of groups and individuals who are willing to work with us on this and are happy that we’re bringing this forward.

The Ontario Coalition of Senior Citizens’ Organizations, which brings together about 150 seniors’ organizations throughout the province, came to us and said, “On the whole, we are supportive of the aims of this bill.” They were a little worried about the pharmacy, and at that point we haven’t made the amendments to the professional allowances. We have done that, and I think they will be pleased but even at that point they were supportive.

Daniella Bernard came forward. She’s a volunteer with the Multiple Sclerosis Society of Canada, Ontario division, and she said, “Overall the MS Society is pleased with many aspects of the proposed changes to the drug system as outlined by the Minister of Health and Long-Term Care,” George Smitherman. “We believe the views of the MS Society have been heard on many aspects of the proposed changes.”

They were particularly pleased about people—patients—being part of the process. They support the creation of a Citizens’ Council and they believe that’s going to give the public a say in drug policy development, and they thought that was a very good thing.

Canadian Pensioners Concerned: “We’re strong supporters of Bill 102 and believe that it will be a step forward in preserving the viability and sustainability of our public and private health care system in Ontario. We realize there will be groups opposing this legislation, but we hope the government will move forward after careful consideration with all parties in the Legislature and the public. The time to act is now, not a year from now.”

The Ontario Health Coalition: “We believe that the government, through this proposed legislation, attempts to balance the need for drug cost control with protection of patient access to needed drugs and safety issues.”

“The Mood Disorders Association supports the government’s decision to reform the Ontario drug program to ensure its sustainability and we have been involved in consultations with the Drug System Secretariat from the start.” That’s very important to us, that groups that are going to have a huge impact on them have been part of this discussion from the beginning.

The CAW: “We commend the Minister of Health and Long-Term Care and his government for the introduction of this proposed legislation, both the significant and timely initiative that accepts the public responsibility and

challenge to address the fastest growing component of both public and private health spending in Ontario.”

And the—who’s this?

**Mr. Fonseca:** There are so many.

**Ms. Wynne:** There are so many to choose from. The last one I’ll speak to is the Alliance of Seniors. They said, “We also recognize that prescription drug costs constitute the fastest-rising component of health care costs in Canada and seriously threaten the sustainability of existing provincial drug plans.” They were supportive of the legislation.

We heard a wide range of opinions at the committee hearings. We made amendments based on what we heard at the committee hearings. The accessibility to medication in this province is going to be more transparent and more open for patients in this province. The pharmacists in the province are going to be able to continue doing what they do in their businesses. They’re going to be validated by being able to be paid for many of the services they haven’t been paid for before.

I am very happy we’re moving forward on this, and I think that it’s a bold and necessary move, one of the many things we’re doing that previous governments have not taken on.

**The Deputy Speaker:** Further debate? Does any other member wish to speak?

Mr. Peterson has moved third reading of the Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

This is signed by the chief government whip: “Pursuant to standing order 28(h), I request the vote on the motion by Mr. Peterson for the third reading of Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act, be deferred until deferred votes, Monday, June 19, 2006.”

Orders of the day.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I move adjournment of the House.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Agreed.

This House is adjourned until Monday, June 19, 2006, at 1:30 of the clock.

*The House adjourned at 1736.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Mathews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Brotten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General / procureur général
Niagara Falls	Craiton, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Health Promotion / ministre de la Promotion de la santé	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Orléans	McNeely, Phil (L)	Trinity–Spadina	Marchese, Rosario (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Oxford	Hardeman, Ernie (PC)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parry Sound–Muskoka	Miller, Norm (PC)	Whitby–Ajax	Elliott, Christine (PC)
Perth–Middlesex	Wilkinson, John (L)	Willowdale	Zimmer, David (L)
Peterborough	Leal, Jeff (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy / ministre de l'Énergie
Prince Edward–Hastings	Parsons, Ernie (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York North / York-Nord	Munro, Julia (PC)
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline</b> (L) Minister of Culture / ministre de la Culture	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sault Ste. Marie	Oraziotti, David (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Parkdale–High Park	Vacant
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## TABLE DES MATIÈRES

**Jeudi 15 juin 2006**

### **AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

<b>Loi de 2006 sur la Semaine de l'éducation artistique, projet de loi 118, <i>M<sup>me</sup> Mossop</i> Adoptée.....</b>	<b>4681</b>
---	-------------

### **PREMIÈRE LECTURE**

<b>Loi de 2006 modifiant des lois concernant les municipalités, projet de loi 130, <i>M. Gerretsen</i> Adoptée.....</b>	<b>4684</b>
---	-------------

### **TROISIÈME LECTURE**

<b>Loi de 2006 sur un régime de médicaments transparent pour les patients, projet de loi 102, <i>M. Smitherman</i> Vote différé.....</b>	<b>4718</b>
--	-------------

# CONTENTS

Thursday 15 June 2006

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Health care funding</b> , private member's notice of motion 19, <i>Mrs. Elliott</i>	
Mrs. Elliott.....	4665, 4672
Mr. Ruprecht.....	4666
Mr. Yakabuski.....	4667
Ms. Smith.....	4667
Mrs. Witmer.....	4668
Mr. Prue.....	4669
Mr. Arthurs.....	4671
Negatived.....	4681
<b>Arts Education Week Act, 2006</b> , Bill 118, <i>Ms. Mossop</i>	
Ms. Mossop.....	4672, 4680
Mr. Hardeman.....	4674
Mr. Marchese.....	4675
Ms. Smith.....	4677
Mr. Yakabuski.....	4678
Ms. Wynne.....	4679
Mr. Wilkinson.....	4679
Mr. Levac.....	4680
Agreed to.....	4681

## MEMBERS' STATEMENTS

<b>Fiesta Week</b>	
Mr. Ouellette.....	4681
<b>Riding of Stormont-Dundas-Charlottenburgh</b>	
Mr. Brownell.....	4681
<b>Assistance to farmers</b>	
Mr. Arnott.....	4682
<b>Hamilton Gay Pride Week</b>	
Ms. Horwath.....	4682
<b>Defibrillation legislation</b>	
Mr. Crozier.....	4682
<b>Fabry's disease</b>	
Mrs. Witmer.....	4682
<b>Hospital funding</b>	
Mr. Wilkinson.....	4683
<b>Health care funding</b>	
Ms. Wynne.....	4683
<b>Municipal finances</b>	
Mr. Rinaldi.....	4683

## FIRST READINGS

<b>Municipal Statute Law Amendment Act, 2006</b> , Bill 130, <i>Mr. Gerretsen</i>	
Agreed to.....	4684
<b>Master's College and Seminary Act, 2006</b> , Bill Pr28, <i>Mr. Delaney</i>	
Agreed to.....	4684

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Municipal government legislation</b>	
Mr. Gerretsen.....	4684
Mr. Hardeman.....	4686
Mr. Prue.....	4687
<b>World Elder Abuse Awareness Day</b>	
Mr. Bradley.....	4685
Mr. Jackson.....	4687
<b>Renewable fuels</b>	
Mrs. Dombrowsky.....	4686
Mr. Yakabuski.....	4687
Mr. Hampton.....	4687

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Runciman.....	4688
Mr. Ramsay.....	4688
<b>Ontario Provincial Police</b>	
Mr. Hudak.....	4689
Mr. Kwinter.....	4689
<b>Environmental assessment</b>	
Mr. Hampton.....	4689, 4690
Ms. Broten.....	4690
<b>Ontario drug benefit program</b>	
Mrs. Witmer.....	4691
Mr. Phillips.....	4692
<b>Ontario Human Rights Commission</b>	
Mr. Hampton.....	4692
Mr. Bryant.....	4692
<b>Highway 24</b>	
Mr. Levac.....	4693
Mrs. Cansfield.....	4693
<b>Natural resources program funding</b>	
Mr. Miller.....	4693
Mr. Ramsay.....	4694
<b>Long-term care</b>	
Ms. Martel.....	4694
Mr. Phillips.....	4694
<b>Street racing</b>	
Mr. Racco.....	4695
Mr. Bryant.....	4695
<b>Highway 26</b>	
Mr. Wilson.....	4695
Mr. Phillips.....	4696
<b>Hydro rates</b>	
Mr. Hampton.....	4696
Mr. Duncan.....	4696
<b>Wine industry</b>	
Ms. Mossop.....	4697
Mr. Takhar.....	4697

## PETITIONS

<b>School facilities</b>	
Mr. Wilson.....	4698
<b>GO Transit tunnel</b>	
Mr. Ruprecht.....	4698
<b>Highway funding</b>	
Mr. Ouellette.....	4699
<b>Education funding</b>	
Mr. Zimmer.....	4699
<b>Highway 26</b>	
Mr. Wilson.....	4699
<b>Long-term care</b>	
Mr. Brownell.....	4700
Mr. Ruprecht.....	4701
<b>Cafeteria food guidelines</b>	
Mr. Miller.....	4700
<b>Trade development</b>	
Mr. Arthurs.....	4700
<b>Macular degeneration</b>	
Mr. Ouellette.....	4700
<b>Fair access to professions</b>	
Mr. Ruprecht.....	4701
<b>Gasoline prices</b>	
Mr. Wilson.....	4701

## THIRD READINGS

<b>Transparent Drug System for Patients Act, 2006</b> , Bill 102, <i>Mr. Smitherman</i>	
Mr. Peterson.....	4702
Mrs. Witmer.....	4703
Ms. Martel.....	4708
Ms. Wynne.....	4715
Vote deferred.....	4718

## OTHER BUSINESS

<b>Visitors</b>	
Mr. Duguid.....	4684
Mr. Bradley.....	4685
Mr. Levac.....	4688
<b>Donation to Salvation Army</b>	
Mr. Arnott.....	4698
<b>Order of business</b>	
Mr. Bradley.....	4698
Mr. Klees.....	4698
The Speaker.....	4698
<b>Business of the House</b>	
Mr. Caplan.....	4701

Continued overleaf





No. 92A

N° 92A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

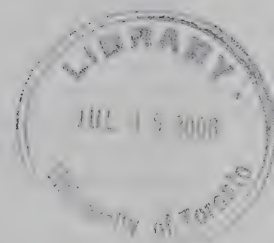
Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 19 June 2006**

**Lundi 19 juin 2006**



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 19 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 19 juin 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### PRIDE WEEK

**Mrs. Christine Elliott (Whitby–Ajax):** I rise today on behalf of the PC caucus to recognize the beginning of the 26th annual celebration of pride here in the city of Toronto. Fearless, the theme of this year's Pride Week festival, will focus on defeating prejudice both outside and within the queer community, with the goal of ensuring that people from all walks of life can live without fear.

Every year the Pride Week festival attracts more and more tourists to Toronto. People travel from across the province and Canada, from all over the United States and from countries around the world to celebrate here in Ontario's capital.

This year, there will be over 40 official events held throughout the course of the week, including the annual parade on Sunday, expected to draw more than a million people to its sidelines. In all, media reports the Pride Week festival generates approximately \$80 million annually in revenue for the local economy.

We would like to congratulate the organizers of the Pride Week festival on winning the award in 2005 for best festival in Canada, given by the Canadian Events Industry Awards, the Star Awards, and wish everyone a warm welcome to Toronto. This week's festivities will provide countless opportunities for friends, family and many different organizations to gather, and we wish all participants a safe and happy Pride.

#### DOROTHY DOAN

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** I rise today to express my condolences to the family and friends of Dorothy Doan, who passed away on June 10 at the wonderful age of 90 years. I can't help but feel that I need to express my condolences to the entire community of Strathroy for their loss.

Dorothy took a path in life that was not an easy one for a woman in the traditional rural community of her day. After graduating from the Strathroy hospital school of nursing in 1935, she enlisted in the army and served as a nursing sister in South Africa, Cairo, Egypt and Italy. Upon returning to Canada, she enrolled in the University of Toronto and worked at Toronto Western Hospital. By 1956, she returned to Strathroy as the superintendent of

the Strathroy hospital. Ms. Doan was one of the first Canadian women to become a fellow of the American College of Hospital Administrators and a charter member of the Canadian college of hospital administrators.

Dorothy saw the building of a new replacement hospital and the addition of two new floors before retiring in 1981, but she remained involved with the hospital for the rest of her life. Dorothy not only made an invaluable contribution to rural health care, but she continued to work for the betterment of her community long after her retirement.

Although she never married, she was treasured by three generations of nieces and nephews. Anyone and everyone who knew Dot loved her, and we were all rewarded by her through her sense of humour and her determination.

Ms. Doan was a mentor to me during my days as chair of the Strathroy-Middlesex hospital board, and long after. She lived a life of service to mankind, and I, for one, will always remember Dot Doan.

#### VILLAGE OF NEWCASTLE

**Mr. John O'Toole (Durham):** It's a pleasure to rise today to pay tribute to the village of Newcastle for the celebration of their 150th anniversary in 2006. The Newcastle sesquicentennial steering committee has organized a year-long birthday party for the community in which everyone is invited to take part and enjoy. Newcastle's anniversary celebration will culminate over the Canada Day weekend from June 29 to July 2, featuring a street parade, heritage show, gala dinner and many other events.

The village of Newcastle has a rich and storied history. In 1871, the population reached 1,109. Newcastle is the birthplace of many industry innovators, including the Massey tractor factory, which produced world-class farm equipment sold in over 100 countries. The history of Massey-Ferguson dates back to 1847, when Daniel Massey first established a workshop producing farm implements. The Massey family produced many philanthropists and distinguished Canadians such as Vincent Massey, amongst others, who worked hard and lent their talents and skills to the benefit of Ontario citizens. The antique car and tractor show to be held on Sunday, July 2, will feature Massey antique farm equipment.

Newcastle has come a long way from its origins in 1856, and today enjoys unprecedented growth and prosperity. I'd like to congratulate the members of the organizing sesquicentennial committee—Charlie Trim, Valentine Lovekin, Myno Van Dyke, Ron Hope, Francis

Jose, Joyce Kufta, Ron Locke, Marilyn Martin, Rod McArthur and Murray Paterson—for a job well done. Everyone's invited to the celebration of the sesquicentennial in Newcastle this coming weekend.

#### LOGAN EARHART

**Mr. Brad Duguid (Scarborough Centre):** All too often, when society speaks about our young people, we spend far too much time on the very few who engage in anti-social behaviour and youth crime and violence rather than the thousands of young people throughout Ontario's communities who do great things.

Today, in the Ontario Legislature, I'd like to pay tribute to one of those great young people, Logan Earhart. Logan is an 11-year-old constituent who plays hockey for the Toronto Aces AA minor peewee hockey club. In an effort to raise money for Sick Children's Hospital and his minor hockey team, Logan decided to ride his bicycle from Toronto to Kingston.

1340

Last Wednesday, Logan, riding alongside his father and Toronto Aces hockey coach, Barry Earhart, set out from Toronto's Hockey Hall of Fame to ride the 400 to 500 kilometres to Kingston along our bike trail. After four adventurous days, Logan arrived in Kingston approximately at noon on Saturday.

On behalf of your hockey teammates, on behalf of those receiving care at Sick Children's Hospital, on behalf of my colleagues here in the Ontario Legislature and all Ontarians, I want to thank and commend Logan Earhart for his courage, his determination, his generosity and his leadership. I'm sure his father, Barry, his mother, Michelle, and his sister, Arden, are all very proud of him.

There may come a time when we see Logan again, a big, gifted defenceman, perhaps even on TV taking that big slapshot, or maybe we'll see him leading his community the same way this 11-year-old has demonstrated through this ride. I encourage everyone to support Logan's efforts by writing a cheque payable to Logan's Run and sending it to the TD Bank at Lawrence and McCowan. Logan has earned our support.

#### HEALTH CARE

**Mr. Ted Arnott (Waterloo-Wellington):** In a few minutes, the House will vote on Bill 102 at third reading. Before the vote, I want to commend the member for Kitchener-Waterloo for the excellent work she has done to shed light on the serious flaws in the McGuinity government's drug legislation. As our health critic, last Thursday she offered a very interesting explanation of what happened with Bill 102: the unseemly rush to push it through, the draconian time allocation motion, the lack of consultation, the farce of a committee process that the Minister of Health organized, the manner in which the minister bullied health stakeholders on this and other issues.

The member for Kitchener-Waterloo deserves enormous credit for her hard work on this bill: the way she

listened, in contrast with the minister's lack of consultation; the way she fought for Ontario's families, patients and pharmacies, especially those in small-town Ontario, in contrast with the way the minister initially ignored them. Credit also goes to the Coalition of Ontario Pharmacy and my constituents Joe Walsh and Heidi Hanna, who made presentations at the standing committee.

I also want to commend this member for the months of dedicated effort she put forward in support of the victims of Fabry's disease, for last week the federal government announced a \$100-million agreement to help these patients, some 200 in Canada, with the cost of the medication they need to continue to live. She showed remarkable persistence and compassion, raising the issue some 17 times, each time bringing forward new, relevant information to underline the need for the provincial government to help Fabry's victims and their families. She did a fabulous job, and we're grateful that the federal government, the Honourable Tony Clement, has responded to help solve this pressing health care issue.

#### ORGAN DONATION

**Mr. Peter Kormos (Niagara Centre):** I'm grateful to Brock University for letting me join them last Thursday during their Wellness Conference, where I had a chance to talk about the principle of presumed intent when it comes to organ donation. As I promised them I would, I brought greetings from Jim Bradley, the member from St. Catharines. But more importantly, I was incredibly impressed, overwhelmed by the positive response to that modest proposal. It's time for us to change dramatically the attitude towards organ donation. Simply calling upon people to sign an organ donor card, even the very agreeable proposal of mandatory election, is not going to change the culture, is not going to change the value system.

I find it incredible that in the year 2006, as the capacity to transplant organs becomes increased by virtue of the new technology and medical science, the need for organs grows higher and higher and higher: 4,000 people a year across Canada, almost 2,000 people a year in Ontario, dying on a daily basis because not enough organs are being donated. I say that presumed intent would solve that problem.

I was so proud to receive a letter today from Howard Lacey on behalf of the Champlain Seniors' Service Club of Orillia—he had given it to Garfield Dunlop as well—a petition from the membership of that service club calling upon this government to pass Bill 61, calling upon people in Ontario to acknowledge that the time has come for presumed intent. Let's start saving some lives instead of burying and burning good organs on a daily basis.

#### VOLUNTEERS

**Mr. Tony C. Wong (Markham):** Recently I had the good fortune to attend Arya Samaj Markham, the Vedic Cultural Centre's annual seniors' day, and bring warm



greetings to the residents on behalf of our minister responsible for seniors, the Honourable Jim Bradley. Along with President Amar Chand Erry and the board of directors of Arya Samaj, I was pleased to honour 17 volunteers who have contributed to their families, their communities and our province. All over the age of 75, these individuals set an excellent example of how giving back to our community helps foster the prosperity that we all enjoy today.

Active Living: Healthy Living is the theme of this year's Seniors' Month, and Arya Samaj Markham puts this theme into action daily. General secretary Shailesh Joshi has made sure the centre's programs and services help seniors in the community to meet new friends and stay active and involved.

I am proud to be part of a government that has invested \$155 million in new funding this year for long-term-care homes so that our seniors can live with dignity and independence in their communities.

Please join me in congratulating all of our senior volunteers, both at Markham's Arya Samaj and across Ontario, for their hard work and dedication to causes they believe in and for helping make Ontario a great place to live.

#### PRIDE WEEK

**Ms. Kathleen O. Wynne (Don Valley West):** Today is the start of Toronto's 26th annual Pride Week. Earlier today I joined Mayor Miller, George Smitherman, Councillor Kyle Rae and the Pride committee to raise the Pride flag at Toronto city hall to kick off the week of festivities. These events are the public manifestation of the gay, lesbian and queer community's expression of their equal place in our society as mothers, fathers, sons, daughters, aunts, uncles, grandchildren and friends.

Pride in Toronto is a happy, safe celebration. Many gay, lesbian and queer people come to Toronto during this week because where they live it's not safe to be who they are, or they fear it's not safe. For that reason, this year's Pride theme is Fearless in 2006.

I'm a lucky woman to be living in a city, in a province, in Canada, that allows me to live with my spouse, Jane, without fear of persecution. The fears are many: the fear of rejection from circles of friends, from family, from the workplace and from community and exclusion from a birthday party if you're young.

At the extreme—and this was the case for James Loney, the Christian Peacemaker, who will be honoured during this year's celebrations—the fear is that being gay will lead to death. Children learn very early that to be gay is bad. They hear the word “gay” as pejorative in the schoolyards long before the bully or the victim has any idea what those words mean. Fear is sown early and deeply. Mothers fear ostracization for their children; children fear disappointing their fathers.

If you join us on Sunday for the parade, you'll hear the warmest cheer of all for the mothers, fathers and friends of lesbians and gays who march with the PFLAG

contingent. We all want to be accepted by our colleagues and our society, but the greatest pain of them all is to be rejected by family. Please join me today in wishing the Pride Toronto committee and the queer community a happy, safe Pride.

#### GROWTH PLANNING

**Mr. Dave Levac (Brant):** Last Friday, this government launched a growth plan for the greater Golden Horseshoe that will continue to build opportunities for economic prosperity and build opportunities for the people of Ontario by assisting our municipal partners to create better-planned communities. We are working to ensure that communities are able to grow in a more complete way, which includes focusing on initiatives to stimulate the local economy, create greater access to shops and services through encouraging the development of more compact communities, cutting down on car dependency through strengthening our public transit, preserving green spaces and agricultural areas, as well as promoting other important community-building initiatives.

This is in stark contrast to what the previous Tory government did. Instead of investing in vital capital municipal infrastructure, the Tories demoralized cash-strapped municipalities with years of downloading when they were told not to do so by their own experts and the municipal experts. The Tories also allowed development of sensitive environmental areas and weakened regulations to allow continuous urban sprawl, whereas this government is protecting our environment and actually combating urban sprawl.

In my own riding, we just announced an environmental assessment and planning process for Highway 24. We believe that it should be Highway 424. This will attract more jobs in my riding of Brant, and enable my constituents and those of the Kitchener-Waterloo and Cambridge and Guelph areas to have access to jobs that are close to home. This is what long-range planning is all about.

I invite the Tories to thank us and join us as we begin—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### VISITORS

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** On a point of order, Mr. Speaker: I wish to recognize Linda Vandendriessche and John Dumanski of the Tobacco Marketing Board. They're here today as all sides work together co-operatively for a fair settlement for our tobacco farmers.

**The Speaker (Hon. Michael A. Brown):** I would like to welcome on behalf of members Peter Partington, who was a member in the 33rd Parliament, representing Brock. Good afternoon, sir.

## INTRODUCTION OF BILLS

### PEACE OFFICERS' MEMORIAL DAY AND MEMORIAL ACT, 2006

### LOI DE 2006 SUR LE JOUR DE COMMÉMORATION DES AGENTS DE LA PAIX ET LE MONUMENT COMMÉMORATIF À LEUR MÉMOIRE

Mr. Levac moved first reading of the following bill:

Bill 131, An Act to proclaim Peace Officers' Memorial Day and to honour peace officers who have died in the line of duty / Projet de loi 131, Loi proclamant le Jour de commémoration des agents de la paix et rendant hommage aux agents de la paix décédés dans l'exercice de leurs fonctions.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Dave Levac (Brant):** This bill, if passed, will establish the last Sunday in September of each year as Peace Officers' Memorial Day. The bill will also require that a memorial be established in or adjacent to the legislative precincts of the Legislative Assembly to honour the memory of peace officers who have died in the line of duty.

Many people have come to me to encourage the creation of this memorial. I would like to especially thank Scott Roberts, who is in the east members' gallery today, and Vince Murray, who couldn't be with us today, for providing us the research and information about peace officers' memorials in Canada and especially those in Ontario. Thank you very much for joining us, Scott.

## MOTIONS

### CONSIDERATION OF BILL PR28

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I believe we have unanimous consent to move a motion without notice regarding Bill Pr28.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley is asking for unanimous consent to move a motion without notice regarding Bill Pr28. Agreed? Agreed.

**Hon. Mr. Bradley:** I move that standing order 87, concerning notice of committee hearings, be waived with respect to consideration of Bill Pr28, An Act respecting Master's College and Seminary, by the standing committee on regulations and private bills on Wednesday, June 21, 2006.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House**

**Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, June 19, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This will be a five-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** Mr. Bradley has moved government notice of motion number 175. All those in favour will please rise one at a time and be recognized by the Clerk.

### Ayes

Amott, Ted	Elliott, Christine	Parsons, Ernie
Arthurs, Wayne	Flynn, Kevin Daniel	Peters, Steve
Balkissoon, Bas	Fonseca, Peter	Peterson, Tim
Barrett, Toby	Hoy, Pat	Phillips, Gerry
Berardinetti, Lorenzo	Klees, Frank	Pupatello, Sandra
Bountrogianni, Marie	Kular, Kuldeep	Racco, Mario G.
Bradley, James J.	Kwinter, Monte	Ramal, Khalil
Bryant, Michael	Lalonde, Jean-Marc	Rinaldi, Lou
Cansfield, Donna H.	Levac, Dave	Runciman, Robert W.
Caplan, David	MacLeod, Lisa	Ruprecht, Tony
Chambers, Mary Anne V.	Marsales, Judy	Sandals, Liz
Chudleigh, Ted	Martiniuk, Gerry	Smith, Monique
Colle, Mike	Mauro, Bill	Smitherman, George
Crozier, Bruce	McNeely, Phil	Sterling, Norman W.
Delaney, Bob	Meilleur, Madeleine	Van Bommel, Maria
Dhillon, Vic	Miller, Norm	Watson, Jim
Di Cocco, Caroline	Mitchell, Carol	Witmer, Elizabeth
Dombrowsky, Leona	Mossop, Jennifer F.	Wong, Tony C.
Duguid, Brad	Munro, Julia	Wynne, Kathleen O.
Duncan, Dwight	O'Toole, John	Yakabuski, John
Dunlop, Garfield	Oraziotti, David	Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

### Nays

Horwath, Andrea	Marchese, Rosario	Tabuns, Peter
Kormos, Peter	Prue, Michael	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 63; the nays are 5.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### TRANSPORTATION INFRASTRUCTURE

**Hon. Donna H. Cansfield (Minister of Transportation):** I am proud to rise in the House today to highlight the announcement I made last Friday to launch the southern Ontario highways program.

The McGuinty government is investing \$3.4 billion over five years to ensure the safety and accessibility of one of our province's most important economic assets, our highway system. Ontario is the engine that drives the



Canadian economy. We are the third-largest financial centre in North America, and our highways are the lifeblood of our economy. Keeping our economy healthy is critical to our government because it supports the high quality of life that we've come to expect in Ontario. The long-range, proactive southern Ontario highways program will create a highway system capable of addressing the economic and safety needs of the province's growing population.

I'd like to share with the House some astonishing statistics about how vital our highway system is to this province's success. Every year, \$1.2 trillion worth of goods are carried on Ontario's highways. Every day, \$670 million worth of goods cross the Ontario-US border by road. More than 90% of all Ontarians live in southern Ontario: that's more than 11 million people. There are over 9.7 million registered vehicles in our province.

Our government is committed to keeping this traffic along Ontario's highways moving safely and efficiently, not only for today, but also in the future. We know that without immediate improvements to the province's transportation infrastructure, Ontarians face highway congestion that could cripple the economy and lower the standard of living for future generations. The southern Ontario highways program anticipates the province's booming growth and is designed to accommodate our burgeoning population.

This is what people can expect from this \$3.4-billion investment in southern Ontario: Our government will expand Ontario's highway system by 130 kilometres, we will replace 64 bridges, and we will repair almost 1,600 kilometres of highways and 200 bridges. This will mean smoother and safer pavement and bridge conditions, less congestion and easier passage across our highways, less time spent in traffic and more time to spend with family and friends, and ultimately better air quality.

One of this government's top priorities is keeping people and goods moving safely and efficiently across our highways. The southern Ontario highways program is evidence of the McGuinty government's commitment to high-performance highways. The program we announced complements the \$1.8-billion northern Ontario highways strategy launched last year. In the first year of this program alone, six kilometres of new highway were built, seven new bridges were built, 19 bridges were repaired, and 383 kilometres of highway were repaired.

Last Thursday, Premier McGuinty and Minister Barolucci announced this year's plans for northern Ontario highway construction, including 36 new projects and 16 projects carried forward from previous years. The 2006 construction plan includes repairs to 43 bridges and 420 kilometres of highway.

Northern highways are literal economic lifelines for northern communities. Linking northern and southern Ontario is vital to the prosperity of the entire province. The northern and southern Ontario highway programs are evidence of our government's commitment to leave a legacy of safe highways that will support Ontario's economy for generations to come. The Ministry of Transpor-

tation has prepared a detailed report, appropriately called the Southern Ontario Highways Program—2006 to 2010, and it is available online.

When we took office, our government promised accountability and transparency in the way we managed taxpayers' dollars. The report shows exactly how money is being spent to strengthen our province. Ontarians can expect improvements on highways in all regions across the province. Every year, my ministry will publish a report providing an update on the five-year program.

These changes are in addition to the significant improvements my government has already made to Ontario's highways. Some of those changes already in progress include:

—Opening the first-ever high-occupancy vehicle, or HOV, lanes on provincial highways in Ontario. The new lanes on Highways 403 and 404 encourage carpooling, which translates to fewer vehicles on the roads, cleaner air and a more enjoyable commuting experience.

—We've also started extending Highway 410 from Bovaird Drive to Mayfield Road to improve traffic flow and to provide a link to growing communities in Brampton; and

—We are building new bridges at Bronte Creek and Sixteen Mile Creek to accommodate plans for HOV lanes on the QEW in the future. This is an important part of our international trade route through Oakville and Burlington.

In 2006 alone, Ontarians can expect: 29 kilometres of new highway, 828 of kilometres of highway repairs, 77 bridge repairs, and preparations for 10 kilometres of new HOV lanes in the northbound lanes of Highway 404. The end result of these improvements will be safer and more efficient highways and a stronger economic outlook for our province.

It's very important to note that our government is keenly aware of the effect all of the planned construction can have on the environment. We work hard to protect wildlife, fish habitats and migratory and nesting birds.

Tackling congestion is also crucial to improving air quality. Our record investments in highway infrastructure and public transit will mean less time idling in traffic, less fuel consumed and less pollution. We will do everything we can to preserve Ontario's ecosystems and air quality for future generations.

I'd like to conclude by saying that Ontario is already a great place to live and to do business, but it has the potential to be even greater. The McGuinty government is committed to strengthening the province's infrastructure to maximize our competitive advantage on the world stage and to encourage further investment in our province.

The southern Ontario highways program and northern highways program are forward-thinking initiatives that will help to counteract growing congestion, take care of our existing highway infrastructure and deliver prosperity to future generations. I know all honourable members will want to support these programs, for they are in all regions of our province.



## GROWTH PLANNING

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I rise today to inform this House and the people of Ontario of an exciting and historic event in the way we will stimulate economic prosperity, manage growth and protect the environment in the most rapidly growing region in our country.

I'm referring, of course, to the growth plan for the greater Golden Horseshoe, which was released just this past Friday. I had the pleasure of announcing the plan's release in Mississauga, at an event hosted by the Canadian Urban Institute.

I want to acknowledge that we have indeed been very fortunate in having some very strong supporters—some of whom are in the gallery today, and I'd like to introduce them to you. We have with us the Mayor of Mississauga, Hazel McCallion; Mayor Rob Hamilton of Barrie; Mayor John Gray from Oshawa; Mayor Mike Hancock from Brantford; Peter Partington, regional chair of Niagara region; Chris Winter, Conservation Council of Ontario; Ken Seiling, regional chair of the region of Waterloo; Victor Fiume from the Ontario Home Builders' Association; Neil Rodgers from the Urban Development Institute; and Bob Finnigan from the Greater Toronto Home Builders' Association.

1410

The McGuinty government has an incredibly positive vision for the greater Golden Horseshoe as a great place to live, now and far into the future. It's a vision that's based on a strong economy, a clean and healthy environment, and opportunity for everyone. That's why we've developed this plan: because it supports working families and businesses and protects our environment.

The growth plan will build opportunities for the people of Ontario by creating better-planned communities, with more options for living, working, shopping and playing. It will build opportunities for new investment and more jobs. It will revitalize downtowns to become vibrant and convenient centres. It will provide greater choices in housing types to meet the needs of people at all stages of life. It will curb urban sprawl and protect farmlands and green spaces. It will reduce traffic gridlock by improving access to a greater range of transportation choices.

This plan places Ontario amongst the leaders in promoting strong communities, not just in Canada but in North America and worldwide. We heard, for example, from US organizations such as the Congress for New Urbanism, the Urban Land Institute and the Smart Growth Leadership Institute that what Ontario is doing is a model for North America—a model that puts us at the forefront internationally for building vibrant cities and communities. The world-renowned planning expert and the public policy chair at the Urban Land Institute, William Hudnut, has said that Ontario's Place to Grow initiative represents “a better and smarter way: strategic government planning and investment that produces communities with the right mix of housing, a good range

of jobs, convenient transit, and easy access to stores and services to meet people's daily needs.”

The honourable members will remember the discussion that led to the passage of the Places to Grow Act last June. That groundbreaking legislation, supported by this Legislature, authorized the province to designate growth plan areas and develop growth plans. The greater Golden Horseshoe is the first designated growth plan area, and this growth plan is the first to be developed under the act. It is first because the need here is urgent. The greater Golden Horseshoe is indeed the engine of Ontario's economy. It's our largest urban region by far. About two thirds of Ontario's people live here now, and this region will grow by approximately 3.7 million additional people and almost two million additional jobs by 2031.

But without the growth plan, we could all expect more of what has happened in the recent past: urban sprawl and damage to the environment, longer commutes to work, and excessive costs for infrastructure needed to support that kind of growth. Instead, we will create, with our partners, communities that will meet the needs of Ontarians, not only today but for generations to come.

Transit is the plan's first investment priority. For instance, Move Ontario, an initiative announced by my colleague Dwight Duncan in the March 2006 budget, provided more than \$830 million to municipalities in the GTA, including Toronto, York region, Brampton and Mississauga, to use to expand public transit. The plan also addresses employment lands to make sure that municipalities maintain enough lands to accommodate manufacturing and major office and institutional development as well as other employment uses.

Last year, our government established the greenbelt to protect natural and agricultural areas, demonstrating our commitment to our environmental heritage. The growth plan confirms that commitment. In fact, it goes further by making sure that the region's growth happens in the areas that can best accommodate it while taking pressure off the areas we value most.

Investments in public infrastructure are being used to support this plan. More than \$7.5 billion will be invested to improve infrastructure right here in the greater Golden Horseshoe over the course of the next five years. If passed, the legislation we've introduced will be creating the Greater Toronto Transportation Authority to promote the seamless movement of people and goods right across the greater Toronto area.

This plan is the result of countless hours of public consultation, policy analysis and engagement with the stakeholders. I'd like to acknowledge the work of assistant deputy minister Brad Graham, who leads the Ontario Growth Secretariat in that work.

The consultation doesn't end here. We will continue, as we have, to listen, to engage stakeholders and public bodies as we implement the plan. The time is so very right for this initiative. People in the greater Golden Horseshoe are well aware of the rapid growth of this region. They want to avoid the potential negative effects of traffic gridlock, long commutes, poor air quality and



the loss of green space, and they want realistic goals and a clear plan to achieve them, and that's what the growth plan delivers. That's why I'm so optimistic that it will promote economic prosperity and an improved quality of life in this region for decades to come.

## ÉDUCATION EN FRANÇAIS

### FRENCH-LANGUAGE EDUCATION

**L'hon. Sandra Papatello (ministre de l'Éducation, ministre déléguée à la Condition féminine):** C'est vraiment une période excitante en éducation en Ontario. Sous le gouvernement McGuinty, l'éducation en langue française est une histoire à succès. Le taux d'obtention de diplôme des élèves de langue française en 12<sup>e</sup> année est supérieur à celui des élèves de langue anglaise. Les élèves de 6<sup>e</sup> année dans les écoles de langue française de l'Ontario obtiennent de meilleurs résultats que les élèves de langue anglaise. In fact, this morning in Ottawa, I did call them "show-offs."

Notre gouvernement a à cœur le besoin des francophones de l'Ontario. Nous voulons leur assurer une éducation de langue française de qualité. Nous voulons aussi contrer l'assimilation. C'est pourquoi nous avons lancé la politique d'aménagement linguistique.

Nous avons également mis sur pied le tout premier groupe de travail permanent sur l'éducation en langue française, qui a tenu sa première rencontre au début de juin.

La semaine dernière, j'ai eu le plaisir d'annoncer que le financement de tous les conseils scolaires en Ontario va augmenter de 600 \$ millions l'an prochain pour atteindre 17,5 \$ milliards. Le financement des conseils scolaires de langue française franchira le cap du milliard de dollars. That's good news. Le financement des conseils scolaires—the French boards in particular are reaching their cap of \$1 billion.

Les conseils scolaires de langue française vont recevoir une augmentation totale de 34 \$ millions ou 3,5 %.

Lorsque le gouvernement McGuinty a pris le pouvoir, les conseils scolaires de langue française recevaient 774 \$ millions. Le financement actuel représente une augmentation de 34 %.

C'est avec plaisir que j'annonce que le gouvernement accorde 10 \$ millions supplémentaires aux conseils scolaires de langue française l'an prochain afin de reconnaître les coûts de prestation des programmes pour la petite enfance.

J'annonce également que le gouvernement va financer, sur quatre ans, 220 \$ millions en nouvelles constructions d'écoles de langue française.

J'encourage toutes les écoles publiques et catholiques de langue française à continuer leur excellent travail pour améliorer le rendement des élèves et augmenter la confiance du public dans la qualité de nos écoles.

J'aimerais aussi remercier la directrice de l'École secondaire catholique Béatrice-Desloges, M<sup>me</sup> Julie Matte, qui nous a accueillis ce matin.

## VISITORS

**Mrs. Christine Elliott (Whitby–Ajax):** On a point of order, Mr. Speaker: I'd be grateful if my colleagues would join me in welcoming the students and teachers from the Wasdell Centre for Innovative Learning in Ajax. I'm happy to say that my son John is here as part of that class today.

## TRANSPORTATION INFRASTRUCTURE

**The Speaker (Hon. Michael A. Brown):** Responses?

**Mr. John O'Toole (Durham):** Often, I get quite nervous when the Liberals stand to make announcements and commitments to the people of Ontario. I've become somewhat cynical over the last while of the number of broken promises, and here yet again today is what I consider to be another broken promise.

Quite frankly, in the very few short weeks since this minister has taken over, we've found that the amount of slippage here is about \$1 billion that's been taken out of the capital budget for that ministry under her watch.

**1420**

During our term in government, we had committed \$1 billion per year. The former Minister of Transportation was courteous enough to follow that template for a 10-year plan. Now we have \$3.4 billion over a five-year plan. Do the numbers: It's actually a cut to the people of Ontario. In fact, I would say quite sincerely, it's another Liberal photo op. There are no shovels in the ground. There's nothing actually happening. It's an additional photo op announcement. I think the evidence is before us.

In Durham region, the single biggest issue that I hear about is the east completion of the 407 highway. Building it—and you talk to Mr. Caplan; your minister's announcement as well on Places to Grow. There's nothing there for Durham region. You've ignored us. You've ignored Durham region, and despite that, you've ignored other parts of the province.

What about the promise to complete 600 bridges? There are over 10,000 bridges in this province. With the Liberal government, you promise more and you get less.

In conclusion, in the limited time we have to respond, the evidence is before us each day. What do I witness? I witness gridlock and I witness the poor management of incidents on our highways. Have a happy summer motoring in Ontario.

## GROWTH PLANNING

**Mr. Robert W. Runciman (Leeds–Grenville):** In response to the minister of infrastructure, there's a long way to go from announcement to accomplishment on this one. First of all, it's unclear as to how the province will oversee the plan, which must coordinate local authorities and citizens in 25 urban growth centres, rural communities, and stakeholders in new development in designated greenfield areas.

Many low-density sprawl developments have already been approved. It's easier and less expensive for



developers to build single-family homes in the suburbs rather than mixed-use communities where the minister hopes people will live, work and play.

It appears that these developments will be exempt from the new rule, putting off results too far in the future. There's a great deal of emphasis on reserving enough space for commercial activity in the hopes that people might live and work in the same space, enabling them to walk or bike to work and spend less time in gridlocked traffic. However, it's unclear as to how these new communities would be able to attract employers or how they would encourage employees to live nearby.

Municipal councils will have three years to bring their OPs in line with the province's vision, and only communities that co-operate and reach their density targets will be eligible to share in the billions spent by the province each year on infrastructure projects. Rebellious cities and towns can be hauled before the OMB and forced to obey the plan, and Queen's Park could refuse to grant permission for the expansion of municipal boundaries. This is just another example of the McGuinty Liberals announcing grandiose ideas without a specific action plan.

#### FRENCH-LANGUAGE EDUCATION

**Mr. Frank Klees (Oak Ridges):** In response to the Minister of Education, I'm surprised that the minister wouldn't take the opportunity to commend the former Progressive Conservative government for its vision and support for French-language education. The minister may not know that it was that former government that first created French-language school boards and, through the investments of the former government, that French-language schools are funded at standard levels. I'm encouraged to see that the current government is continuing to support these fine educational institutions, and we support every effort that the government may well make to ensure that that fine education continues in this province.

I would suggest to the minister that what she should be concentrating on, instead of making additional one-off announcements, is keeping her government's promise that they would update the funding formula. Boards would be much better off if they kept that commitment to fund school boards to the level of the commitments that this government has made on behalf of school boards across the province.

So I want to take the opportunity today to commend all of the teachers and all of the staff and the students who participate in French-language education. To their credit, it is a place for us to stand proud as a government here in Ontario. We encourage the government to meet their commitment to other school boards across—

**The Speaker (Hon. Michael A. Brown):** Thank you. Responses?

**Mr. Rosario Marchese (Trinity-Spadina):** To Minister Papatello: She says they're investing \$10 million to support early childhood education and \$16 million over

four years to drive approximately \$220 million in capital construction for French-language schools.

With respect to the \$10 million, I'm assuming it's new money; it's hard to say. I'm assuming it's provincial dollars. That too is hard to say, but we can only hope.

As to the \$16 million over four years for capital construction, all I want to say to the minister is this: Minister Kennedy said that he was going to spend \$270 million that would generate \$4 billion in capital projects. So far, in three years, this Liberal government has only spent \$16 million, by the evidence provided to me by this government and this minister. So when they say that they're going to spend another \$16 million over four years, they've already spent \$16 million over three years for all of the schools in Ontario. That's not a lot.

By the way, if you want to reduce the assimilation of francophone students and help retain francophone students in French-language schools, the best way to do it is to encourage bilingualism; the best way to do it is to encourage French immersion; the best way to do it for your government is to make sure that kids who are not studying French are studying French, as a way of promoting French-language students to stay in their own schools.

#### GROWTH PLANNING

**Mr. Peter Tabuns (Toronto-Danforth):** I'm going to speak to the announcement by the Minister of Public Infrastructure Renewal and that of the Minister of Transportation.

It's very clear from the documents presented to us that the Liberals' final plan to govern growth in the greater Golden Horseshoe area will not reach its target: It will not curb sprawl and it will not stop gridlock on our highways. I say this to our guests in the gallery today: You will be dealing with worse gridlock in the years to come.

What this community, the greater Golden Horseshoe, needs is a strong plan to control urban sprawl, it needs a plan to control gridlock, to eliminate gridlock, and it needs a plan that will deal with the social, economic and environmental impacts that sprawl imposes on communities. What we have had presented in this House is a growth plan that puts the interests of communities, the interests of public transit and the interests of increased urban density behind the interests of developers.

The Liberals' final growth plan for the greater Golden Horseshoe states that 40% of all new residential development must be constructed within built-up areas by 2015. The Neptis Foundation did research on this issue, often cited when we're talking about this area and the challenges to it. They say that at this rate of intensification, the amount of new residential development to be shifted from farmland to genuine intensification is too little to do what has to be done to reduce gridlock and congestion.

#### TRANSPORTATION INFRASTRUCTURE

**Mr. Peter Tabuns (Toronto-Danforth):** One of the factors that's going to impact on all of this is the high-



ways plan that was announced by the Minister of Transportation. The proposed extension of Highway 404 north to Ravenshoe Road is particularly problematic. It provides the essential infrastructure to further a series of low-density developments proposed for York region, north of the Oak Ridges moraine. These are in the Queensville, Sharon and Holland Landing areas. This will not curb sprawl; this will facilitate it. So everyone who's going to be sitting on the 401, the 407 and the QEW in the years to come is going to get to sit there a lot longer, they're going to get to listen to radio a lot longer, and they're going to get to spend more time thinking about being with their families instead of being with them, because the plan before us will increase sprawl, not reduce it.

The economic corridor, the GTA east-west corridor: How is this going to affect the amount of transportation that we need, the sort of transit that we need? It will facilitate more investment in cars and more sprawl.

The NDP is disappointed with the plans that have been brought forward. The key elements for reducing gridlock and sprawl are not there. In fact, this plan is extraordinarily weak, and the very problems that this government decries, the very problems that politicians in the GTA and the suburban areas are working with, are facing with their constituents, are going to get worse. There are going to be profound problems for this area.

## DEFERRED VOTES

### TRANSPARENT DRUG SYSTEM FOR PATIENTS ACT, 2006 LOI DE 2006 SUR UN RÉGIME DE MÉDICAMENTS TRANSPARENT POUR LES PATIENTS

Deferred vote on the motion for third reading of Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act / Projet de loi 102, Loi modifiant la Loi sur l'interchangeabilité des médicaments et les honoraires de préparation et la Loi sur le régime de médicaments de l'Ontario.

**The Speaker (Hon. Michael A. Brown):** Call in the members. This will be a 10-minute bell.

*The division bells rang from 1430 to 1440.*

**The Speaker:** Mr. Peterson has moved third reading of Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act. All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Fonseca, Peter	Phillips, Gerry
Balkissoon, Bas	Hoy, Pat	Pupatello, Sandra
Berardinetti, Lorenzo	Kular, Kuldip	Qadri, Shafiq
Bountroggianni, Marie	Kwinter, Monte	Racco, Mario G.
Bradley, James J.	Lalonde, Jean-Marc	Ramal, Khalil

Bryant, Michael	Leal, Jeff	Rinaldi, Lou
Cansfield, Donna H.	Levac, Dave	Ruprecht, Tony
Caplan, David	Marsales, Judy	Sandals, Liz
Chambers, Mary Anne V.	Mauro, Bill	Smith, Monique
Colle, Mike	McNeely, Phil	Smitherman, George
Crozier, Bruce	Meilleur, Madeleine	Sorbara, Gregory S.
Delaney, Bob	Milloy, John	Takhar, Harinder S.
Dhillon, Vic	Mitchell, Carol	Van Bommel, Maria
Di Cocco, Caroline	Mossop, Jennifer F.	Watson, Jim
Dombrowsky, Leona	Oraziotti, David	Wong, Tony C.
Duguid, Brad	Parsons, Ernie	Wynne, Kathleen O.
Duncan, Dwight	Peters, Steve	Zimmer, David
Flynn, Kevin Daniel	Peterson, Tim	

**The Speaker:** All those opposed will please rise one at a time to be recognized by the Clerk.

#### Nays

Amott, Ted	Klees, Frank	O'Toole, John
Barrett, Toby	Kormos, Peter	Prue, Michael
Chudleigh, Ted	MacLeod, Lisa	Runciman, Robert W.
Dunlop, Garfield	Marchese, Rosario	Tabuns, Peter
Elliott, Christine	Martiniuk, Gerry	Witmer, Elizabeth
Hampton, Howard	Miller, Norm	Yakabuski, John
Horwath, Andrea	Munro, Julia	
Jackson, Cameron	Murdoch, Bill	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 53; the nays are 22.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## VISITORS

**Mr. Tim Peterson (Mississauga South):** On a point of order, Mr. Speaker: I rise today to recognize four people from my riding. They are Sandy and Grant Jones and Bob Fasken, and they are escorting Mitch Fasken. Mitch Fasken will not be running for the leadership of the Liberal Party of Canada this year, but he will be in 2026. Thank you for recognizing them.

## ORAL QUESTIONS

### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman (Leeds–Grenville):** My question is to the Acting Premier. Acting Premier, last Friday your Liberal government announced the purchase of land now under native occupation in Caledonia. At the time, the minister of aboriginal affairs indicated that the purchase price was confidential. We're now hearing that the price paid will exceed 50 million taxpayer dollars.

Minister, why is the purchase price confidential, on what basis have you determined that it must be confidential and what is so confidential about using taxpayer dollars to clean up a problem your government can't fix?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm happy to have the opportunity to say to the honourable member today that I'm not in a position to share that particular detail with him, but what I can say is that because our government has

been able to reach an agreement with the local developer, that has enabled those parties at the main table—federal representatives, provincial representatives and representatives of the First Nations community—to move these negotiations along, as is appropriate. We're very pleased that achieving this agreement with the property owner has enabled those at the negotiating table—the main table—to focus on the issue and get this matter resolved as soon as possible.

**Mr. Runciman:** I think some could fairly construe that response as contempt for the Legislature and contempt for the hard-working taxpayers of this province.

John Tory and the Progressive Conservative Party believe the people of Ontario deserve to know just how much Dalton McGuinty's lack of leadership is costing us. Last week in court, officials from the Ministry of the Attorney General indicated that the McGuinty government is handing over property at the former Burtch Correctional Centre to Six Nations. Would the minister advise the House and hard-pressed Ontario taxpayers what the assessed value of that property is?

**Hon. Mrs. Dombrowsky:** I find it quite appalling that a member of this Legislature, who would formerly have been an Attorney General, would ask a question of that kind, knowing that there are very serious and important negotiations underway at this time. You are asking for information that would be inappropriate and that I know you, as a minister in this position, would not have provided either.

We have a very serious situation that the federal government, provincial representatives and First Nations representatives are dealing with. We encourage them. With the property issue being resolved, we believe we have provided them with a situation that will enable them to achieve a resolution to this in a more expeditious way. That has been our commitment from day one of this, and we are encouraged, now that there has been a property deal, that that will enable those parties at that table to get that deal done.

**Mr. Runciman:** That was an unbelievably feeble response. I mean, the Attorney General's officials already indicated they turned over property at Burtch to Six Nations. This is not something that's part of negotiations; they've turned it over.

To date, the McGuinty government has committed probably in excess of 50 million taxpayer dollars for a property purchase, millions to disrupted businesses, given away at least a hundred hectares of government property, dropped conditions for a return to the bargaining table, recognized a no-go zone for police, permitted criminal fugitives to remain at large, shattered public confidence in the rule of law, turned a blind eye to the destruction of a hydro transformer, the blockade of highway and railway and on and on, and still no deal. Mr. McGuinty's approach—bargain from weakness and reward continued resistance—is setting the table for many more Caledonia-type confrontations.

Minister, will you, as Acting Premier, tell the people of Caledonia and the people of Ontario if this is how Dalton McGuinty defines being up to the job?

**Hon. Mrs. Dombrowsky:** First of all, I would like to say, on behalf of the government—certainly it has been stated many times by the minister responsible for aboriginal affairs—that we truly appreciate what the people and the community of Caledonia have had to endure, and we thank them for their continued support.

I know that the honourable member and the members of the opposition are not happy that we find ourselves today in a situation where, at the main table, federal partners, provincial partners and First Nations partners are negotiating a resolution to this issue. That has been our goal from day one. We are there with all the challenges the member has identified, that have happened and that have been dealt with. We feel that it's important for people in the community to know that we are committed to their safety, to their well-being and to ensure that there is a peaceful resolution to this outstanding—

1450

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

**Mr. Runciman:** To the Acting Premier, again on Caledonia: one of the explicit conditions Mr. McGuinty laid out last Monday for a return to the bargaining table with the Caledonia occupiers was that the First Nations leadership co-operate with police. We know that isn't happening, and I believe it's quite appropriate for one to ask for assurances that your government will not broker any deal with the occupiers until the six wanted individuals, including one charged with the attempted murder of an OPP officer, are turned over to police. Will you give us that assurance?

**Hon. Mrs. Dombrowsky:** The Premier was very clear when he said that in order for negotiations to continue on this very serious issue, the barricades had to come down and there had to be a demonstration that the First Nations people were co-operating—

**Mr. Runciman:** He said the leadership.

**Hon. Mrs. Dombrowsky:** Well, the leadership of the First Nations were co-operating with the police. We have heard from the Ontario Provincial Police, who have confirmed that that is in fact has happened at Caledonia, and that is why we have returned to the negotiating table, along with our federal partners. Obviously, the federal participants at this table believe it is appropriate to be there so that we can gain a resolution to this very serious issue.

**Mr. Runciman:** The regrettable truth is that Mr. McGuinty displayed incredible weakness last week when, on Tuesday, he backed down from explicit conditions for a return to the bargaining table that he set just the day before. Talk about backing yourself into a corner.

You are negotiating with people who are openly obstructing justice by admittedly hiding, or assisting to flee, individuals wanted for very serious crimes, including attempted murder of a police officer. Minister, why would you continue to negotiate with the Caledonia occupiers unless or until they co-operate and hand over the six wanted men?

**Hon. Mrs. Dombrowsky:** You asked this question of this government and this Premier. Are you asking the



same questions of the Prime Minister of Canada, who has seen fit to have representatives of the federal government at the same table we are at for the same reasons? We understand why it is so important that we achieve a settlement to this very, very serious issue.

I remind the honourable member that the conditions that were placed by the Premier of Ontario have been met—the barricades are down; the Ontario Provincial Police have told us. And if I have to choose between taking their word or your word, I'm taking their word. That's why we're at the table.

**The Speaker:** Final supplementary.

**Mr. Runciman:** She's taking the word of the spin-meisters in the Premier's office; no one else.

Minister, you've attempted to put a happy face on your land purchase announcement, but the Caledonia occupiers are saying that's not good enough until the 50 million tax dollars and the land title are in their pocket, along with the Burtch property. And given the Premier's lack of intestinal fortitude to this point in time, who knows what else you're offering?

We know that 15 OPP officers have been injured during the occupation, people have been assaulted, a highway and railway span blocked, thousands plunged into darkness through the destruction of a hydro transformer, individuals facing serious criminal charges have been hidden, yet all we hear about are giveaways by the McGuinty Liberal government.

Minister, what are you looking for in return for your generous concessions? What are you bargaining for?

**Hon. Mrs. Dombrowsky:** I would offer the honourable member that the position that has been taken by our Premier has been strong and clear.

I would also offer to the honourable member—maybe he hasn't read the papers lately—a quote that has come from Karl Walsh, who is with the Ontario Provincial Police Association. This is what Mr. Walsh has said in terms of how our government has conducted the affairs around this particular incident. He indicates that he appreciates the government's hands-off approach to policing in Caledonia, and says that the opposition should stop playing politics with this standoff. I would suggest that the honourable member should heed the advice of Karl Walsh and stop playing politics with this very important issue. We are working for a resolution.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Acting Premier. Last week, the environment minister secretly exempted the McGuinty government's \$40-billion nuclear mega scheme from a thorough, effective provincial environmental assessment, and thereby deprived Ontarians of the opportunity to examine greener and more affordable energy alternatives. Today we learned that the secret backroom exemption you gave to your nuclear mega scheme also contravenes the requirements of Ontario's Environmental Bill of Rights.

Acting Premier, it's bad enough that the McGuinty government has undermined Ontario's Environmental Assessment Act. Why has the McGuinty government also ignored Ontario's Environmental Bill of Rights?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I want to say to the honourable member that he is simply wrong. New energy projects in the province of Ontario will require an environmental assessment. I think it is unfortunate when it is presented otherwise. I would also point the people of Ontario to the record of this government when we have constructed new energy projects.

I would remind the honourable member that with respect to the Glen Miller hydroelectric facility, we have completed an EA; the EA is done. With respect to Kingsbridge wind farm, phase 1, the EA is done. With respect to Erie Shores wind farm, the EA is done. Prince wind project, phase 1: EA done. Prince wind project, phase 2: EA done. Ripley wind power: EA done. Portlands Energy: EA done. Our government—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary?

**Mr. Hampton:** The question was about Ontario's Environmental Bill of Rights. Section 16 of the Environmental Bill of Rights Act stipulates, "If a minister considers that a proposal ... could, if implemented, have a significant effect on the environment, the minister shall ... give notice of the proposal to the public at least 30 days before the proposal is implemented."

Any reasonable person in Ontario knows that a \$40-billion nuclear mega scheme is going to have very significant effects on the environment now and for hundreds of years. Ontario law says you have to give 30 days' notice before you try your secret backroom exemption. You gave zero notice; in fact, you tried to hide the exemption. My question is this: If you think your nuclear mega scheme is so good, why are you trying so hard to hide it from the people of Ontario?

**Hon. Mrs. Dombrowsky:** To suggest that the government is trying to hide anything is absolutely ludicrous, given the fact that you found out about it on the website. Where's the secret there? I would remind the honourable member, as was indicated by the Minister of the Environment, that it is the position of our government that with broad government policy direction, there is not a need—it is not subject to the requirements of the Ontario Environmental Assessment Act. That is what the minister has said.

With respect to individual energy projects that will be undertaken in the province of Ontario, for each and every new project there will be an environmental assessment. The people of Ontario should be very confident that they will have every opportunity to participate in that process, which will ensure public participation.

**Mr. Hampton:** Here is the history: Dalton McGuinty exempts his nuclear mega scheme from a thorough provincial environmental assessment, breaking Ontario's Environmental Bill of Rights in the process. Then he says there will be some sort of federal environmental assess-



ment. But your energy minister on the weekend confessed, "I'm told by people who are more expert than I at these things that the federal process is not as fulsome as the Ontario process." In other words, the federal process doesn't provide an independent, expert-based review of the nuclear megaproject, nor does it consider alternatives.

1500

So here you go: You undermine the Environmental Assessment Act and you try to get around the Environmental Bill of Rights. I say again, if your nuclear mega scheme is as good as you claim it is, why are you trying so hard to hide it from the people of Ontario?

**Hon. Mrs. Dombrowsky:** Again, it's important that I correct the honourable member. The regulation that this government has brought forward is on the website; it's not hidden anywhere. You found it there.

I say to the people of Ontario, we remain committed to ensure that there is a public process for new energy builds in the province of Ontario. The Minister of the Environment has committed to that. Our government is committed to that.

With respect to the environmental assessment that's carried out at the federal level, I find it interesting that in the quote he shared with this Legislature, he neglected to finish the comment that was made by the Minister of Energy, where he made it very clear that he believed it was time that the federal government would review their criteria for environmental assessment to make it more rigid and more stringent. You forgot that; you left that out. We are committed to a very comprehensive environmental assessment process for new energy in the province of Ontario.

**The Speaker:** New question?

**Mr. Hampton:** To the Acting Premier: I think I've heard it all. The McGuinty government does a secret backroom deal to hide your nuclear mega scheme from a provincial environmental assessment, you toss it off to a weak federal environmental assessment, and then you suggest the federal government should toughen up their procedures. Why not just do the right thing in the first place: subject your nuclear mega scheme to a thorough, effective Ontario environmental assessment instead of trying to hide from it?

**Hon. Mrs. Dombrowsky:** First of all, it's very important that I take every opportunity on behalf of this government to remind the people that there is absolutely nothing hidden about the regulations that we brought forward. They are public and on the website.

I am also in a position today to say to the people of Ontario, with respect to new energy builds in the province of Ontario, that there will be an environmental assessment. That has been the case with new builds to date under our government, and that will continue.

With respect to the building of new nuclear, again, I say to the people of Ontario that nuclear is federally regulated. They have the responsibility to ensure, going forward, that the environmental assessments are carried out and that the communities have an opportunity to participate. Our own energy minister has encouraged

them to review those to make them even more responsive to what the community will expect from that process.

**Mr. Hampton:** Minister, you say the McGuinty government has been public and open in terms of the environmental assessment requirements for your nuclear mega scheme, but we had to go looking for the exemption order. When the Minister of Energy was holding his press conferences, doing his one-on-ones and making his announcements, there was not one whisper about your exemption from the Environmental Assessment Act process, not one hint of your exemption from the requirements for an environmental assessment under Ontario law.

And I'm not alone. I want to quote Ian Urquhart from the Toronto Star this weekend: "When it comes to the question of an environmental assessment of its nuclear plan, McGuinty and his government have been anything but direct. Indeed, they have been downright misleading."

**The Speaker:** You know you can't say that, even if it is a quote. Withdraw.

**Mr. Hampton:** I withdraw the quote, Speaker.

Then Mr. Urquhart said, "This was Broten's first true test as a cabinet minister, and she flunked it...."

I say again, people are catching on to the McGuinty government's failure to provide openness, failure to provide environmental leadership. Why are you so determined to hide your nuclear mega scheme from the people of Ontario, who will have to deal with the environmental risks and the \$40-billion cost?

**Hon. Mrs. Dombrowsky:** It is absolutely inappropriate that the honourable member suggests there is anything being hidden, especially when it's on a website—when it's on a website. How more public in today's society can we get than to put something on a website? I would also remind the honourable member that if he was looking on the website, he would also see that our government has passed regulation 424. This regulation actually strengthens the requirement of the Ontario Power Authority to consider environmental impacts. He suggests our commitment to the environment is not what it should be. We have demonstrated that we want to ensure that the consideration of our environment is definitely a part of any process that any energy facility would consider moving forward with—a new bill. We are committed to ensure going forward, as we build a power supply for the people of Ontario that they need, that they expect from this government, that we will do so in a responsible way.

**Mr. Hampton:** I must cite another example of the McGuinty government's failure to be straight with people and their attempt to hide the real evidence. Last week, at the Minister of Energy's news conferences, technical briefings and the one-on-ones with the media, at no time did he fess up that the McGuinty government is breaking its national commitments to reduce the level of mercury in air pollution. He had lots to say about everything, but at no time did he mention that the McGuinty government was going to break that commitment too. But he did leak the information to Saskatchewan's Minister of the Envi-



ronment. Tell me, Acting Premier, why didn't the McGuinty government fess up about that one? What are you trying to hide from the public when you leak the information to a minister in Saskatchewan but nowhere last week did you admit that you were going to be allowing more mercury pollution in Ontario's airshed?

**Hon. Mrs. Dombrowsky:** First of all, with respect to the supplementary, I'm not exactly sure what it has to do with the environmental assessment and nuclear plants at this point in time, but I will gladly take this opportunity—and maybe if you have another question come your way, you can ask me more particularly about that—to say to the people of Ontario that our government is absolutely intent on ensuring that we have a stable energy source for the people of Ontario. We are committed to doubling our conservation in the province of Ontario. We are committed to doubling renewable energy sources in the province of Ontario. We are committed to eliminating coal. We are committed to refurbishing and replacing nuclear. But one thing we're not going to do: We're not going to buy rainforests in Costa Rica. We're not going to cancel conservation programs in the province of Ontario—

**The Speaker:** Thank you. New question.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Acting Premier: On Friday, we knocked on doors in the Caledonia subdivision adjacent to the occupied site. Acting Premier, you will know the turmoil and the tension within those families, within that subdivision. People are off work on stress leave; people have blood pressure out of control. I'm reading e-mails from terrified children, children who sometimes can't even go outside during recess. In spite of your government's spin, the barricades are still up, and life is much worse now than it was on February 28. Acting Premier, have any members of your government been to Caledonia to communicate with these forgotten families, or do you hope they will just quietly go away?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** First of all, I can say to the honourable member that the Minister of Economic Development and Trade is there as we speak. This also provides me with an opportunity to say to the people in the community that we certainly appreciate that there have been challenges in the last weeks. To that end, our government has worked to establish the community liaison table. David Peterson had a hand in leading the establishment of that table. Now, at that table, are municipal representatives, business representatives, as well as the local member, Dave Levac. It is their responsibility to be that finger on the pulse of the community, to determine what their issues are, what their needs are, and bring recommendations forward on how they might be addressed.

1510

Our government is very happy about the good work that is being undertaken by the community liaison com-

mittee, and we do look forward to hearing from them and understanding what we might do to continue to support those in the community.

**Mr. Barrett:** Acting Premier, in addition to knocking on maybe 300 doors on Friday, I attended a large neighbourhood meeting in that subdivision. As at the door, people are asking questions about renewing their mortgages, the value of their homes, and the title on their property.

We know that your government has tried to buy its way out by purchasing the Douglas Creek Estates from the land developers. You have set a precedent. Some homeowners next door to the site are asking me, "Will you please purchase our homes as well?" A precedent has been set, Acting Premier. Is this now an option on the table, to purchase people's homes?

**Hon. Mrs. Dombrowsky:** I think that it is important that we clarify for the record that our government has made investments in the community that we believe will support the businesses and the homeowners in the area. We have committed \$500,000 in emergency assistance for the local businesses. We have delivered \$50,000 to the local council to help them deal with the phone calls that have been coming into their offices and to assist them with staff for that. We've delivered \$50,000 to help develop a marketing and economic recovery plan. Last week we delivered a further \$160,000 to the local council to implement that plan. We've provided interim relief to the developer and businesses, and we've also provided a toll-free line.

I would say to the honourable member that the most significant contribution to date has been the establishment of the community liaison table, where there are businesses, members of council and the local member. People of the community know who they are and should go there—

**The Speaker (Hon. Michael A. Brown):** New question.

#### ENERGY CONSERVATION

**Mr. Peter Tabuns (Toronto–Danforth):** My question is for the Minister of Energy. Toronto Hydro has introduced two new programs that essentially pay people and companies to reduce their demand on hot days. The problem that they have and that other utilities have is that they can't implement these programs on the scale required without substantial new financial support from the province. Will you, Minister, order the OPA to make these kinds of programs mandatory throughout the province and provide local utilities with the financial resources to allow them to implement these programs on the scale needed to make a real difference in this province?

**Hon. Dwight Duncan (Minister of Energy):** I will remind the member opposite that those programs he has referred to are the direct result of the \$160 million and the so-called third tranche money that this government made available two and a half years ago. You weren't here, but your colleagues—Mr. Hampton, Mr. Kormos



and the others—voted against that. It's unfortunate they did that because that was the first step we made in terms of really creating a culture of conservation.

We're glad to hear that you support those programs now. We welcome your input into that debate. I wish you could convince your colleagues that they should have supported us in those programs. Hopefully you'll support us as we move forward on conservation initiatives—something that you and your colleagues never did when you had the chance.

**Mr. Tabuns:** I can only take from that indirect response—that response taking us in a variety of different directions—that the minister would rather spend 40 billion bucks on this nuclear boondoggle than actually put the money into the conservation programs that Ontario needs.

Local utilities throughout this province want the support to deliver the programs that we all know will make a big difference here. We know that demand response programs are a lot cheaper and safer than your nuclear power program. Again: Will you direct OPA to make demand response programs in this province mandatory and will you provide local utilities with the resources to allow them to make it happen? Yes or no?

**Hon. Mr. Duncan:** The answer is yes. We've already done it, and unfortunately he and his colleagues voted against it every step of the way. It's a shameful record. Let's talk about it. They're off in wonderland when they think you can't have an integrated system plan. You need one. You need conservation. That's why we've incented them \$160 million in the first two and a half years and \$1.5 billion by 2010. That's the largest investment in conservation in the history of this country, and one of the largest in North America. It's an excellent start. That's why we think it's important to double our efforts on conservation. Your leader suggested we can't make the goals we set. We're going to make them, and we trust the people of Ontario to help us make them.

I am reminded that you and your party cut conservation. Every program was cancelled under your policy. The three Cs of the NDP energy policy: cut conservation, cancel Conawapa and buy Costa Rican. That's a shameful legacy. This government's—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

*Interjection.*

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** On a point of order, Mr. Speaker: I'm a bit confused here. In the previous question, I heard the Acting Premier—

**The Speaker:** What standing order are we talking about?

**Mr. Murdoch:** The number is—I'll figure it—

**The Speaker:** New question.

#### TRANSPORTATION INFRASTRUCTURE

**Mr. David Oraziatti (Sault Ste. Marie):** My question is for the Minister of Transportation. I want to commend Minister Cansfield for her support of the northern On-

tario highway infrastructure program. It's a welcome change from past governments.

Minister, you said in your statement today that our highway network is literally an economic lifeline in northern Ontario. That statement couldn't be more accurate. The state of our highways is vital to the economic success of northern businesses and to the personal safety of our region's motorists. Drivers in my riding of Sault Ste. Marie have expressed concern about the state of disrepair that our roads have been in for much of the last decade. Can you tell members of this Legislature what the government's long-range plan is to ensure that we'll be able to travel northern highways safely and efficiently for decades to come?

**Hon. Donna H. Cansfield (Minister of Transportation):** I'd like to thank the member for his continued commitment to northern Ontario. I've heard from many members across the north about the issues that face them with their highways, and that's why we released the \$1.8-billion plan in new funding this year: \$1.16 billion for pavement and bridge repairs and \$700 million for highway expansion.

We were just in the Soo with the Premier and Minister Bartolucci, where we announced the first-year program. Six kilometres of new highway was built; seven new bridges were built, one at a time; 19 bridges were repaired; and 383 kilometres of highway were repaired. There is no question that Ontario in the north is as important as Ontario in the south, that altogether, we have an integrated plan on how we're going to proceed to ensure that we have sufficient highways in good shape to move not only goods but our people throughout this province.

**Mr. Oraziatti:** I want to thank the minister for providing that update on the status of the northern highways strategy. This document has been a huge success throughout my riding and clearly demonstrates the McGuinty government's commitment to northern Ontario initiatives.

Minister, there are several highway projects currently under way in the Soo and area and throughout the north. My community is pleased to see that work has started on upgrading our vital infrastructure, after years of neglect under the previous two governments. Can you please update me and members of my community on the initiatives that are taking place in the Soo and area?

**Hon. Mrs. Cansfield:** Again, I'm delighted to be able to respond to the question. There is a significant amount of work under way in Sault Ste. Marie, valued at well over \$100 million, on Highway 17 east of the Soo, which is new, as well as seven kilometres of a new four-lane highway from Bar River Road to Garden River First Nation and 16 kilometres of a new four-lane highway through Garden River First Nation. That's in addition to a 1.2 kilometre trunk road access that was recently started.

Mr. Speaker, there's no question: In December 2005, we announced accelerated completion dates of three important projects, from the end of 2008 to be completed



instead by 2007. The completion of these three projects will provide a new, continuous four-lane highway between Sault Ste. Marie and Bar River Road. We look forward to putting additional resources into the north to ensure, again, that our highways are not only the safest in North America, the most travelled in North America—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

1520

### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Acting Premier: On Friday night, I attended a town hall meeting about the Burtch Correctional Centre and the Six Nations land dispute. The Burtch lands, 385 acres, are south of Brantford. It was expropriated from area farmers by the federal government in 1941 to create a World War II landing field by the Air Services Branch, an RCAF Wireless School flying squadron. My question: Is the Burtch property up for grabs at the land rights negotiating table?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** The honourable member would know that for any member of this House—and by the way, it would be inappropriate to talk about what's up, what's being considered, at any negotiations. These are very, very serious negotiations. You and others on all sides of this House have identified how sensitive they are.

What I am very comfortable saying to the honourable member is that we have federal representatives, provincial representatives and First Nations representatives at the table. These negotiations are under way and moving in a positive direction, and it is our hope that very soon there will be a resolution to this issue in Caledonia.

**Mr. Barrett:** Acting Premier, there were 150 people at that meeting from area homes, area farmers, and they do want to know; they're in the dark. They want to know, is it on the table or is it not? Did Mr. Petersen offer up Burtch or did he renege on the deal, as they've indicated in the Six Nations press?

Burtch is a very large area, two miles immediately west of the Six Nations territory. If it is handed over, homes and farms on that two-mile strip will be sandwiched between two very large native areas. You've already caved in, I'm told, and allowed Six Nations people on the property to plant soy beans. There are 200 acres of beans that got in.

Acting Premier, how can you now negotiate Burtch—if you are negotiating Burtch—if you've already handed over its use?

**Hon. Mrs. Dombrowsky:** Again, the honourable member knows it would be totally inappropriate to talk in this Legislature about anything that's being negotiated. I would also remind the honourable member that when it comes to land claims with First Nations people, the federal government has the lead for that. I would encourage him that the point he's raising here should also be

brought to the attention of the federal representative from the area.

I would also say to the honourable member that I am in receipt of the most recent media release from Haldimand county. What these people are saying is, with respect to the announcements that had been made to date, that the expansion of financial assistance for businesses in Caledonia is very welcome. With respect to the financial relief for residents who've been impacted by this situation, the municipality will be releasing details on this program very soon; this is from the municipality. I would encourage the people in your community to continue to be in very close touch with municipal representatives—

**The Speaker (Hon. Michael A. Brown):** New question.

### EMPLOYMENT

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Finance. A week ago, Statistics Canada reported that there has been a one-month loss of another 13,000—and I underline—manufacturing jobs, bringing the manufacturing job loss total in Ontario to over 100,000 since June 2004. Today we learn that another 300 jobs will be lost at the closing of the century-old Nestlé plant in Chesterville in eastern Ontario. The Nestlé layoffs are on top of the 1,300 layoffs in nearby Domtar and the loss of jobs at Consoltex in Alexandria and Gildan Activewear in Long Sault.

The McGuinty government has stood on the sidelines, and you have shown, I would suggest, no leadership in protecting these manufacturing jobs. We introduced a bill called the Job Protection Commissioner Act. Will you show some leadership, pass that bill, and save the thousands of manufacturing jobs in this province?

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I have a great deal of affection and admiration for my friend from Beaches–East York. I know, had he had more time, that he would want to acknowledge the leadership of my friend the Minister of Economic Development and Trade, Mr. Cordiano, who has, with the assistance of a half-billion-dollar investment from the treasury, brought about a \$7-billion investment in the auto industry. Ontario is now the lead jurisdiction in all of North America; similarly, the work that we've done to ensure that we have a strong Stelco, the work that my friend the Minister of Natural Resources has done to ensure that we have a strong forest industry up north and, as I speak, the Premier of this province is up to celebrate the opening of the first diamond mine in the northern part of the province, showing that mining also is very strong.

I want to tell him that I personally, as Minister of Finance, am proud of the fact that over the past two and a half years the businesses of this province have generated more than 280,000 jobs. We should all be proud of that, including my friend from Beaches–East York.

**Mr. Prue:** Minister, I'm talking about manufacturing jobs. Ten per cent of all of the manufacturing jobs in this



province have disappeared in the last two years; in total, 101,700, to be exact. We have a manufacturing job crisis in this province and your government refuses to acknowledge it. Eastern Ontario's manufacturing base is being devastated. The north is experiencing unprecedented mill closures and you have shown no leadership in protecting those manufacturing jobs.

A jobs commissioner could save many of these jobs. Will you show the kind of leadership I know you are capable of and pass the bill that will save those thousands of jobs?

**Hon. Mr. Sorbara:** I want to tell my friend from Beaches–East York that, were there any evidence whatever that the proposal put forth by the leader of the New Democratic Party, a proposal that was in British Columbia and abandoned *holus-bolus*—they got rid of it. It did not help with the loss of manufacturing jobs. It's similar to a proposal that the New Democratic Party brought about while they were in power for five very long years in this province, and it didn't do anything to help the economic crisis that they helped bring about.

I want to tell him that the challenge in manufacturing is to make the kind of investments that Mr. Cordiano has made in the auto sector, to make the kind of investments that my friend David Ramsay has made in forestry, to make the kind of investments in education that will give us a strong manufacturing base here for the next decade and beyond that. I'm very proud of our record. I want to tell my friend that his proposal for a jobs commissioner will not work.

### GROWTH PLANNING

**Ms. Judy Marsales (Hamilton West):** My question is for the Minister of Public Infrastructure Renewal. Minister Caplan, your statement today is indeed a landmark growth plan for the greater Golden Horseshoe area, a historic initiative that will plan strategically for the population growth coming to this region. I understand that the greater Golden Horseshoe—which includes the great city of Hamilton, I might add—is the fastest-growing urban region in Canada and the third-fastest in all of North America. Indeed, I understand that growth projections anticipate an additional 3.7 million people moving to this area over the next generation.

However, growth of this magnitude offers many challenges, some potentially with negative impacts if not managed properly: issues such as more traffic congestion, the provision of employment lands, air quality, and the potential loss of prime green space and agricultural lands. This requires great planning and vision. Minister, can you explain how the growth plan will support our communities and prepare them for the growth we are anticipating in this region?

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I really appreciate the question because, without a growth management plan, communities, families and Ontarians would experience more of the consequences of un-

planned development, some of which the member noted, such as traffic congestion, poor air quality, and ongoing loss of valuable green space and prime agricultural lands. But the consequences of unplanned growth affect more than just the environment and human health. Ontario's economy relies on the efficient movement of goods and the availability of employment lands, both of which are limited with unplanned growth. Our government sees growth planning as an important aspect of Ontario's future economic prosperity and an exceptional quality of life.

That is why the growth plan for the greater Golden Horseshoe is so vital. It's a coordinated strategy that will help us to realize our vision of: (1) making the best use of land and infrastructure; (2) creating livable, vibrant communities that support healthy lifestyles; (3) preserving valuable green space; and (4) strategically promoting economic growth.

1530

With the release of the growth plan for the greater Golden Horseshoe, we finally have the leadership—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Ms. Marsales:** Earlier today you recognized a number of guests in the Legislature, and you noted that a diverse group of stakeholders are supporting the growth plan for the greater Golden Horseshoe, including municipalities, environmentalists, developers, community groups and planners. Such broad-based support is both notable and laudable, and indeed unprecedented when it comes to land use planning. Can you tell this House how this consensus was achieved?

**Hon. Mr. Caplan:** Achieving that degree of consensus was critical, but it was no easy task. It was based on two years of intensive consultation and engagement with stakeholders and with the public, listening to their perspectives and incorporating their best ideas. It was a challenging process, but an extremely gratifying one—one that was accomplished in partnership, one that was based on a shared vision of how this region will grow and prosper over the next 25 years.

We collectively recognized very early on that the status quo was unacceptable, that ongoing, unplanned growth would only worsen air quality, traffic congestion, car dependency and loss of green space. Together, we had to act; that much was clear. The province had the leadership role and the responsibility, and the reward for our efforts will be a legacy of economic prosperity, clean air, more green space, agricultural lands and better planned communities for future generations.

### AIR QUALITY

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** My question is for the Acting Premier. Today, we are not alone in our frustration with the McGuinty government, with their patchwork policies and their broken promises. We are in the good company of the Canadian Council of Ministers of the Environment.



Last year, the McGuinty government, together with provincial and territorial environment ministers, agreed to reduce highly toxic mercury emissions by 50% by 2010. Your government is now breaking that promise—not a big surprise. But the Minister of the Environment, a champion for mercury and air issues, reminded us on May 18, 2006, right here in the Legislature, that one of her very first announcements as Minister of the Environment was to improve our air emission standards. Clearly, the minister is not willing to support that statement with a firm plan and commitment. On April 5, 2006, again in this very room, Minister Broten indicated that the McGuinty government is tackling the serious issue of air pollution head on. Breaking your promise is certainly a phenomenal start on that.

My question to the Acting Premier is, why at this late stage is your government backing out of a Canada-wide agreement—

**The Speaker (Hon. Michael A. Brown):** Acting Premier?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm very happy to have the opportunity to educate the member opposite, because I was at the federal-provincial-territorial meeting where Ontario, identified as the champion, agreed that we would move forward with a mercury initiative. I think it would be important that you direct your research folks to do more than just read the paper.

In fact, I have with me the letter that the Minister of the Environment sent to the Minister of the Environment from Saskatchewan, where it indicates very clearly, as champion for mercury and air issues within the CCME forum—and that is Ontario's privilege—Ontario strongly supports the work that's being done by CCME in developing Canada-wide standards. I would say that's actually a very solid commitment and that our commitment is followed by results, in that we have reduced mercury emissions by 33% since we've come to government.

**Ms. Scott:** The bottom line is that the McGuinty government broke a key campaign promise in 2003 to shut the coal-fired plants by 2007. In your usual patchwork approach to policy, you've just realized that this means you can't keep the promise to reduce mercury levels either. What we have here is a snowball effect of broken promises, policy created in a vacuum and a definite lack of leadership.

The McGuinty government and the Minister of the Environment have paid lip service to reducing emissions, but you have done precious little to create a comprehensive strategy or plan that works in conjunction with all of your last-minute policy flip-flops and broken promises. When can the people of Ontario finally see a comprehensive plan to reduce harmful mercury emissions and meet the standards that the rest of the provinces in Canada are working hard to meet? What deadline date have you given to the OPA to respond to you with their emission plan?

**Hon. Mrs. Dombrowsky:** This is really rich, coming from a member of a government that reduced emissions

by 11%. We have tripled that. We have reduced mercury emissions by 33%. Those are results. In addition to that, I would like to say to the honourable member that we have reduced our reliance on coal by 17%, we've reduced SO<sub>x</sub> emissions by 28%, we've reduced NO<sub>x</sub> emissions by 34% and we've reduced CO<sub>2</sub> emissions by 15%. I would set that record aside the record of the previous government any day.

We are committed to cleaning up the air. Our minister is committed to establishing a Canada-wide standard for mercury. What she has indicated to the minister from Saskatchewan is that she very much looks forward to doing that face to face with them in the very near future.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Acting Premier. I asked you earlier today why the McGuinty government is so desperate to hide your \$40-billion nuclear scheme from the people of Ontario. I asked you specifically how you could justify breaking Ontario's Environmental Bill of Rights. I've just been handed a press release by Ontario's Environmental Commissioner, where he says, "The government made the decision to bypass Ontario's Environmental Bill of Rights. They escaped the process whereby the people of Ontario should have been able to review and comment on the regulation to exempt the nuclear plans from an environmental assessment."

I ask you again: What is the McGuinty government trying to hide? Why have you not only undermined the Environmental Assessment Act of Ontario, but why are you also breaking the requirements of Ontario's Environmental Bill of Rights?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** Our government is absolutely committed to environmental protection in Ontario. I believe the record is very clear. Our government is the government that has recognized that the environmental assessment process has not worked well for many projects in Ontario, and that is why we undertook a review. That is why we've had sector tables provide the government with recommendations going forward on how we might improve this very important tool. Just recently, the Minister of the Environment has brought forward legislation that will amend the Environmental Assessment Act, that will in fact enable it to be a more effective tool for the people who use it. So I would say that to suggest that our government is somehow looking for ways not to be consultative or inclusive, or is in some way ignoring our responsibility to ensure the environment is protected, is not accurate at all.

**Mr. Hampton:** I want to quote the Environmental Commissioner again. By the way, Minister, the Environmental Commissioner reports to this Legislature; he doesn't kowtow to the McGuinty government. That's probably why you have a problem with him. But this is what he says about the McGuinty government:

"This is the first regulation under the Environmental Assessment Act that has not been posted on the Envi-



ronmental Registry for public review and comment in the 12-year history of the Environmental Bill of Rights. This decision goes against the whole principle of government accountability and transparency enshrined in the act. Exempting the province's long-term electricity plans from the environmental assessment process—to consider the possible impacts of those plans—is clearly environmentally significant and should have been posted on the registry for public comment.”

Tell me, Minister, why is the McGuinty government so determined—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Mrs. Dombrowsky:** Again, I say to the honourable member and to the people of Ontario that it is because we are concerned for our environment that we have embarked on what I believe is one of the most ambitious energy plans undertaken, not just in Ontario but in North America. It is our intention to double our conservation efforts. It's our intention to double—

**Mr. Hampton:** Even Ernie Eves wouldn't have tried this.

**The Speaker:** The leader of the third party will come to order. Minister?

1540

**Hon. Mrs. Dombrowsky:** The leader of the third party said that even Ernie Eves wouldn't try this. Of course not. He let this energy situation get to the point where we have more demand and less supply than when he came to office. Our government is not prepared to let that happen. Our government is committed to ensure that we double conservation and we double renewables. We are also committed to ensure that we have a safe, reliable process in place when we—

**The Speaker:** Thank you.

## SMOKE-FREE ONTARIO

**Mr. Mario G. Racco (Thornhill):** My question is to the Minister of Health Promotion. Last Tuesday, Statistics Canada released this year's Canadian Community Health Survey, which polled over 130,000 Canadians on various health issues, one of them being smoking. The good news from the survey is that smoking rates across the country are decreasing. In fact, the number of people regularly exposed to second-hand smoke has fallen from 20% to 15% of the population. Although this is good news, 15% of Canadian non-smokers, or 4.8 million people, are still exposed to the dangers of second-hand smoke. Minister, how will our government's recently passed Smoke-Free Ontario Act work to further decrease this rate and ensure better health conditions for my constituents in Thornhill and in Ontario?

**Hon. Jim Watson (Minister of Health Promotion):** I want to thank the honourable member from Thornhill and congratulate him for the good work he did first as a city councillor in the city of Vaughan and now as a member of the McGuinty government on the smoke-free Ontario legislation.

Our approach to the smoking issue is the threefold: prevention, protection and cessation. The province-wide ban on May 31 fulfills the protection component.

I want to give members three quotes from individuals on how this legislation is affecting people in a positive fashion. Sheri Burnett, a Casino Windsor employee, said, “In talking with patrons at the casino over the past few days, the feedback has been overwhelmingly positive, even to the point of some diehard smokers admitting that it is more pleasant inside, the air is fresher etc.; already that is noticeable.” In Pembroke, Glenda Croghan, manager of Bingo Country, also hasn't noticed a drop-off in customers, and the establishment is getting a facelift. Finally, in Sudbury, bingo business is strong at the Valley Bingo gaming centre, where owner Don Lebreche “saw the smoking bylaw as a chance to renovate and take down some walls that were like barriers.”

**Mr. Racco:** As I have been out in my riding of Thornhill over the past two weeks enjoying the spring weather, I have noticed that most establishments seem to be following the new law. However, I continue to read complaints from some Legions, which feel they should be exempt from the legislation and that their membership will decline because of the Smoke-Free Ontario Act. Minister, how are Legions being affected by this law and what has been the experience in other jurisdictions?

**Hon. Mr. Watson:** I have the utmost respect and gratitude for members of the Legion and our veterans. My father served overseas in World War II. But many Legionnaires have not been able to enjoy their Legion halls because of the haze of smoke, which also puts the staff in those facilities in danger. Many Legions and municipalities that went smoke-free through municipal bylaws have seen increases in their membership ban. Ottawa public health tells me that in Ottawa, in the beautiful community of Richmond at the Richmond Legion, the membership has increased since they went smoke-free and they've made more money on fund-raising activities, coffee hour, exercise classes, the dart league, hall rentals and so on. “Jim and Shirley Stewart from the Belleville Legion will appreciate the new smoking ban. Jim is a smoker who takes it outside at home. Thanks to the smoking ban, Shirley, who recently underwent a bypass operation, can now join her husband at Legion functions.” Says Shirley, “After May 31, I'll be able to go.”

## ROAD SAFETY

**Mr. Frank Klees (Oak Ridges):** My question is to the Attorney General. I'm not sure who wants to respond in his place. Is he here? Is the Attorney General here?

**The Speaker (Hon. Michael A. Brown):** The Attorney General is coming down, if you'd just wait for a moment. Is the Attorney General here? If not, you may place your question.

**Mr. Klees:** In that case, I'll direct the question to the Acting Premier. Acting Premier, last Thursday the Attorney General presided over a dramatic photo-op in a



desperate attempt to convince the people of Ontario that your government is doing something about street racing. Hours later, in this chamber, members of your cabinet and your backbench refused to give unanimous consent to a bill that's before this Legislature to give quick passage to the street racing bill.

My question is, if your government is serious about dealing with street racing and putting a stop to it, why will you not support passage of this bill before this House rises this coming Thursday?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I appreciate the question. I want to remind the honourable member that we do have very strict laws for racing in Ontario at the present time. I appreciate the perspective, however, that the honourable member represents at this time, and I would encourage you. As you know, matters of this nature are regularly dealt with by House leaders of the Legislature. I would encourage you to work with your House leader. I will speak to the Attorney General and indicate that this is the direction that I have offered to you, so that perhaps there can be a negotiated resolution to the issue that you've brought before us today.

## PETITIONS

### ONTARIO JOINT REPLACEMENT REGISTRY

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the government has identified the reduction of wait times for total hip and knee replacement surgeries as a priority; and

"Whereas the current government has cancelled the Ontario Joint Replacement Registry (OJRR); and

"Whereas the ability for Ontario to capture its own surgical and patient outcome data on total hip and knee replacement procedures will be lost; and

"Whereas the current government has declined to reverse its decision and continue to collect the necessary data required to provide the best possible surgical outcomes for patients and reduce their need for revision surgeries; and

"Whereas improving patient outcomes after surgery and preventing costly revision surgeries will help reduce the wait times for all patients;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario reverse its decision to cancel the Ontario Joint Replacement Registry and continue to collect the surgical data and patient outcome information that is necessary to ensure that total hip and knee replacement patients in Ontario are not waiting unnecessarily and are achieving the best possible results and the greatest quality of life after their surgery."

I've also signed this.

## CHILD PROTECTION

**Ms. Andrea Horwath (Hamilton East):** I am pleased to present a petition from numerous Ontarians concerned about the lack of independent oversight of CAS decisions. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas Ontario is one of the few provinces that does not have independent oversight of child welfare administration; and

"Whereas eight provinces now have independent oversight of child welfare issues, including child protection; and

"Whereas all provincial Ombudsmen first identified child protection as a priority issue in 1986 and still Ontario does not allow the Ombudsman to investigate people's complaints about children's aid societies' decisions; and

"Whereas people wronged by CAS decisions concerning placement, access, custody or care are not allowed to appeal those decisions to the Ontario Ombudsman's office;

"Therefore, be it resolved that we support the Ombudsman having the power to probe decisions and investigate complaints concerning the province's children's aid societies (CAS)."

I agree with this petition. I have affixed my signature to it and I'm sending it to the table by way of Hartford

## HOME CARE

**Mr. Tony Ruprecht (Davenport):** This petition is addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas access to home care for seniors and persons with disabilities allows them greater independence within their own homes and the ability to limit the amount of time that they are forced to stay in hospitals and/or long-term-care facilities; and

"Whereas doctors, nurses and health care workers need to be recognized and supported for the outstanding work they do within their communities, which must translate into increased funding and resources for their efforts; and

"Whereas implementing the Caplan review will contribute to a more stringent set of guidelines for ensuring that home care and community support services are more effective and far-reaching;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the Liberal government's commitment to contribute \$117.8 million to improve home care and implement the Caplan review be supported by all members of" this Legislature.

Since I agree, I am delighted to sign this petition.

1550

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Julia Munro (York North):** “To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

As I am in agreement, I have affixed my signature and am giving it to Evan.

### HIGHWAY NOISE BARRIERS

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** I have a petition here from some of the residents from Eamer's Corners in the city of Cornwall. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the residents of Eamer's Corners, in the city of Cornwall, (including, but not limited to Patrick, Wellington, Ross and Edgar Streets), have, during the past decade, been irritated and bothered by the increased noise created by the traffic along the Macdonald-Cartier Freeway (provincial Highway 401), in the vicinity of the above-mentioned streets; and

“Whereas the Ministry of Transportation for Ontario has erected an incomplete and unsightly berm adjacent to Patrick Street, along the Macdonald-Cartier Freeway (provincial Highway 401), in the city of Cornwall;

“We, the undersigned, petition the Legislative Assembly of Ontario and the Ministry of Transportation of Ontario as follows:

“(a) Construct a noise barrier along the Macdonald-Cartier Freeway (provincial Highway 401) adjacent to Patrick and Wellington Streets in the city of Cornwall;

“(b) Incorporate and properly maintain the dirt berm, now only partially completed and landscaped, along the Macdonald-Cartier Freeway (provincial Highway 401) adjacent to Patrick Street in the city of Cornwall.”

I have affixed my signature to this petition as I firmly believe in what they have asked. I'll send this by page Luke.

### SPEECH AND LANGUAGE SERVICES

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** “To the Legislative Assembly of Ontario:

“Whereas over one million Ontarians of all ages suffer from communication disorders relating to speech, language and/or hearing; and

“Whereas there is a growing need for awareness of the profound developmental, economic and social consequences that communication disorders have on people and their families; and

“Whereas persons with communication problems require access to the professional services of audiologists and speech-language pathologists who provide treatments to improve and enhance quality of life; and

“Whereas effective treatment of communication disorders benefits all of society by allowing otherwise disadvantaged persons to achieve their academic and vocational potentials; and

“Whereas investments in treatments for communication disorders pay economic dividends in reduced reliance on other social services,

“We, the undersigned, in conjunction with the Ontario Association of Speech-Language Pathologists and Audiologists, call on the Legislative Assembly of Ontario to proclaim the month of May as Better Speech, Language and Hearing Month.”

This was brought to me by Beth Ann Kenny, the executive director of the Ontario Association of Speech-Language Pathologists and Audiologists. I'll hand it over to page Juliet.

### SOCIAL ASSISTANCE

**Ms. Andrea Horwath (Hamilton East):** I'm pleased to present a petition from numerous Hamiltonians urging the McGuinty government to raise social assistance rates. The petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas people relying on assistance from Ontario Works (OW) and Ontario disability support program (ODSP) face increasingly severe hardship because the McGuinty government failed to keep its promise of regular annual increases; and

“Whereas in 2003, McGuinty promised to tie OW and ODSP rates to the real cost of living but broke that promise once elected; and

“Whereas current OW and ODSP recipients often don't have enough money for food after paying the ever-rising cost of living for rent, utilities and transportation costs; and

“Whereas the McGuinty government continues to cut back on necessary supports such as the special diet supplement and the national child tax benefit, taking even more money away from Ontario's most vulnerable;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government raise OW and ODSP rates immediately by 3% annually; and



"That the McGuinty Liberal government close the 21.6% gap left by the Harris Conservatives; and

"That the McGuinty Liberal government immediately end the clawback on the national child tax benefit; and

"That the McGuinty Liberal government immediately reinstate the special diet supplement to Ontarians who have seen the benefit cut."

I agree with the petition. I've signed it and send it to the table by way of page Tyler.

### EMPLOYMENT SUPPORTS

**Mr. Tony Ruprecht (Davenport):** This petition is to the Parliament of Ontario and it reads as follows:

"Whereas improving job retention rates has a positive effect on developing valuable work skills, confidence in one's abilities and creating a greater economic foundation for the province; and

"Whereas JobsNow allows workers access to valuable resources such as job-matching services, pre-employment supports and up to 18 months of job retention and follow-up services;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the JobsNow program continues to be supported by all members of the House; and that we work together to ensure that workers on social assistance find a meaningful and long-term solution to meeting their employment goals."

Since this is a great petition, I'm delighted to sign this as well.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. John O'Toole (Durham):** I present a petition on behalf of my constituents in the riding of Durham. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

Therefore "we, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm pleased to present this to Madeleine and sign it on behalf of my constituents.

### TRADE DEVELOPMENT

**Mr. Bob Delaney (Mississauga West):** I'm pleased to present this petition. It's from a group of Canadian Auto Workers in Brampton and it deals with fair auto trade with South Korea. It reads as follows:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

This makes perfect sense. I'm pleased to support it, to affix my signature, and to ask page Meghan to carry it for me.

### SCHOOL CLOSURES

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I continue to get petitions titled "Save Courtland School"; another one, "Our Lady of La Salette School Should Remain Open."

"To the Legislative Assembly of Ontario:

"Whereas the Brant-Haldimand-Norfolk Catholic District School Board along with all boards in Ontario was required to submit a long-term capital plan to the Ministry of Education for the schools for which they are responsible; and

**1600**

"Whereas this long-term accommodation strategy was to include an indication as to whether the boards would be considering consolidation of schools within their jurisdiction; and

"Whereas a funding formula for boards to follow has not yet been determined; and

"Whereas the Ministry of Education has acknowledged that they support and acknowledge the extreme importance of our small schools in rural communities;

"We, the undersigned, would like to inform the Legislative Assembly of Ontario that we:

"(1) acknowledge and support the efforts currently underway to achieve small class sizes in primary grades, with built-in flexibility to ensure it does not force the closure of any small rural school;

"(2) support you in your goal to provide a funding formula that does not negatively affect small rural schools."

I support Courtland and La Salette and hereby affix my signature to these petitions.

**The Deputy Speaker (Mr. Bruce Crozier):** It is now 4 o'clock and time for orders of the day.

### MINISTER'S COMMENTS

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** On a point of order, Mr. Speaker: I'm confused, and I hope you can help me out on this. When we were in question period, a question on Caledonia was answered by the Acting Premier, who is the Minister of Agriculture and Food and the member from Tweed. It was twice—not once, but twice—mentioned that the local member sat on a committee that dealt with the local businessmen and the local people. I understood that the local member in Caledonia was Toby Barrett, who sits in front of me, and he informs me that he doesn't sit on that committee. I was wondering if the minister, tomorrow maybe, or in a statement, could clarify that, that the local member doesn't sit on this committee.

I was just confused and I wanted to ask that in question period. I didn't get a chance to. So I'm hoping you, as Speaker, can clarify who actually is the local member in Caledonia, and hopefully that this government is working with them.

**The Deputy Speaker (Mr. Bruce Crozier):** I want to thank the member for his point of order. I don't know that the Chair can clarify who the member is, the member the minister was speaking of. So I think you've perhaps answered your own point, that if you choose in question period to address that question to any minister whose responsibility it is under, you are quite free to do so.

### ORDERS OF THE DAY

#### GREATER TORONTO TRANSPORTATION AUTHORITY ACT, 2006

#### LOI DE 2006 SUR LA RÉGIE DES TRANSPORTS DU GRAND TORONTO

Mrs. Cansfield moved third reading of the following bill:

Bill 104, An Act to establish the Greater Toronto Transportation Authority and to repeal the GO Transit Act, 2001 / Projet de loi 104, Loi visant à créer la Régie des transports du grand Toronto et à abroger la Loi de 2001 sur le Réseau GO.

**The Deputy Speaker (Mr. Bruce Crozier):** The floor is yours, Minister.

**Hon. Donna H. Cansfield (Minister of Transportation):** Thank you very much, Mr. Speaker. I would like to share my time with my parliamentary assistant, the member from Ottawa-Orléans.

I rise in the House today to talk about how our government is taking steps to boost the province's economy and to improve the quality of life for all Ontarians, today and in the future. I refer to the proposed creation of the Greater Toronto Transportation Authority, or GTTA.

Traffic congestion has become common in the greater Toronto area and in the surrounding areas. There are 5.5 million people living in the cities of Hamilton and Toronto and the regions of Halton, Peel, York and Durham. Our highways are at full capacity and the number of cars on our roads continues to grow. Our government realizes that unless we take immediate action, we're putting both our quality of life and our economy at risk.

Over the next 25 years, Ontarians can expect to see an increase of nearly two million vehicles on area roads. The amount of time spent in traffic could increase by four times and the province could lose as much as \$28 million a day in congestion costs. Our quality of life will suffer as commuters spend even more time in congested traffic, and increased vehicle emissions will further contaminate the air we breathe.

The McGuinty government is on the side of commuters who want to spend less time on the road. That's why we are creating the GTTA: to help move people across regions more efficiently. The GTTA's first priority is to create an integrated multimodal transportation plan for road, rail and transit. The plan will consider the unique needs of all regions and provide a blueprint for convenient, seamless travel from Hamilton to Durham region. This plan will also work toward reducing transportation-related emissions of smog precursors and greenhouse gases.

We are taking a holistic approach to transit and to transportation. We want the number of people taking transit to grow significantly in the coming years so that there will be fewer cars on the road and less congestion on our highways. To make transit as easy as driving a car, we're setting the foundation to create a coordinating system that harmonizes all transit systems across the various regions—all nine.

The GTTA will play a critical role in planning a transit network that will become the first mode of transportation that people in this region choose in their daily commute. If passed, our legislation will bring together local transit agencies, the regions and the cities of Toronto and Hamilton. Together we'll create a transportation network that will address today's needs and anticipate the needs of future generations.



Making transit systems more attractive to Ontarians is pivotal to our province's economic success. The more we can get commuters to lay down their car keys and choose transit, the better. Our highways are the hub of our economy. They carry nearly \$1.2 trillion in goods across the province each year. The 400-series highways that pass through the area are some of the busiest in North America. Much of the \$900 million in two-way trade that crosses the Ontario-US border every day travels on these roads. It is estimated that one hour of congestion on Highway 401 costs businesses \$600,000 per hour in lost revenue. To build and maintain our economic advantage, we are doing everything in our power to avoid these costs.

Under our proposal, the GTTA will: integrate municipal and regional transit planning; oversee the GTA fare card system; coordinate transit bus purchases on behalf of municipalities; and allow municipalities to take advantage of a bus procurement initiative. By working together, municipalities can create efficiencies which bring savings to all.

By bringing together representation from all regions, we can ensure that transit schedules are coordinated and that regions get the best possible value for their transit vehicle purchases. We can also ensure that a plan is in place to invest in priority transit projects for the region as a whole and not just for individual municipalities.

Our vision is to create a GTTA that would bring together the province, municipalities and local transit agencies to create a seamless and a more convenient transportation network—to plan, to coordinate and to set priorities for public transit investments and major regional roads and highways.

The GTTA would take a region-wide approach to transit and to transportation, one that would meet the growing number and the growing needs of commuters in the region. Picture the future commuter travelling from Hamilton to Oshawa. With the changes the GTTA will bring, the commuter will board a bus in Hamilton and relax, knowing that the transition between the various transit systems will be easier and more convenient. A simple swipe of a fare card will give the commuter access to all connecting rides, and there will be little or no wait times between the connections, as all systems will coordinate arrival and departure times.

1610

The proposed GTTA will report to the Minister of Transportation. The authority will be overseen by a board appointed by the Lieutenant Governor in Council. Under our proposed legislation, the GTTA will be governed by representatives from Durham, Halton, Peel and York regions, the cities of Hamilton and Toronto and the province. An advisory committee of stakeholders who are affected by transit and transportation will also be created. It will include representation from seniors, Ontarians with disabilities and the business community.

My colleague the Honourable David Caplan has released the landmark growth plan for the greater Golden Horseshoe. It is a visionary blueprint to create better-

planned communities and more opportunities for economic prosperity. For the first time ever, Ontario is taking a long-term approach to regional growth and development, and this includes our vision for the GTTA. Our government's numerous investments in public transit and our proposed GTTA will encourage the development of more compact, vibrant and livable communities that are no longer car-dependent or struggling under the huge costs of maintaining the infrastructure needed to support unmanaged growth. The growth plan for the greater Golden Horseshoe and the proposed GTTA will place Ontario among the leaders in urban planning, not just in Canada but in North America.

Our government has moved decisively to make transit a more plausible alternative to spending long, frustrating hours in highway congestion. Our highly successful provincial gas tax program has already significantly increased ridership and taken the equivalent of 18 million car trips a year off our roads. Our government is doing what previous governments have failed to do: We're implementing solutions to address the problems of congestion and gridlock. Our highway investments will focus on moving goods safely and efficiently across the province, establishing a robust economy that will protect quality of life for generations to come. We see transit as the most intelligent solution for moving people today and in the future.

Our government believes that it's time for immediate action on the constant and economically crippling problem of congestion. By supporting this legislation, all members can play a major role in creating a vibrant economy and a successful future for everyone.

**Mr. Phil McNeely (Ottawa-Orléans):** As my colleague the Honourable Minister Cansfield points out, making public transit more attractive to Ontarians is pivotal to our province's economic success. Our proposed Greater Toronto Transportation Authority, the GTTA, will make public transit more convenient and reliable for commuters by creating seamless and integrated transportation in the greater Toronto area and Hamilton.

The greater Toronto area occupies less than 1% of Ontario's land area, but nearly half of the province's 12.5 million residents live in this region. Our proposed GTTA is key to improving public transit in Ontario's most densely populated region. It is the latest in a series of bold moves and investments our government has made to improve public transit across the province. We've invested \$1.3 billion this year, including \$838 million to expand and modernize public transit in the GTA alone.

Ours is the first government in Ontario to offer municipalities a reliable and stable source of transit funding through the hugely successful provincial gas tax program. Over the first five years of the program, we are investing more than \$1.3 billion in transit across Ontario, providing municipalities with funding to purchase new buses and other transit equipment and to expand transit services. In this, the second year of the program, 110 municipalities are sharing \$232 million in gas tax funding,



up from \$156 million in the first year. Ridership on public transit is up 3.4% across the province. To put it in perspective, that's the equivalent of taking 18 million car trips off our roads every year.

We've created Move Ontario, a new, one-time \$1.2-billion investment in Ontario's public transit systems and municipal roads and bridges. Under Move Ontario, \$670 million can be used to extend the TTC subway to York region, \$95 million can be used for the Brampton AcceleRide program and \$65 million can be used for the Mississauga Transitway. I'm proud that we were the first government to open high-occupancy vehicle lanes in the 400 series highways. These lanes save valuable time for carpoolers and public transit users by allowing them to bypass congestion in the general traffic lanes. High-occupancy vehicle lanes are another example of our commitment to improving public transit, another example of our commitment to creating well-planned, less car-dependent communities.

I was pleased to attend Smart Commute Brampton last week. Traffic congestion costs our economy \$2 billion every year. It means our goods are delayed getting to market and employees can't get to work on time. It affects our productivity, the bottom line and quality of life. If we don't act now, it's only going to get worse. As the minister mentioned, the population of the greater Golden Horseshoe area is expected to grow by 3.7 million over the next 25 years. How do we keep all those people and our economy moving? We simply must encourage more people to leave their cars at home. Fewer cars on the road mean less traffic congestion and cleaner air. That's why Brampton-Caledon has embraced Smart Commute, and that was where the announcement was made last week. It's very interesting to note one thing on Smart Commute in the literature they put out: "If every commuter left their car at home for just one day a week, we could have summertime traffic levels every day of the year." That is what the Smart Commute is about. It's about carpooling, it's about the HOV lanes our government has supported and it's about making transportation more sustainable in our city.

To summarize, the McGuinty government is making public transit a priority by providing a stable source of funding through the provincial gas tax program, by opening HOV lanes to help public transit users to save time, by investing \$1.2 billion in public transit and municipal roads and bridges through Move Ontario and by introducing legislation to create the Greater Toronto Transportation Authority, which is the bill at third reading today. I urge all honourable members to support our legislation. Our prosperity and quality of life depend on better public transportation. That is what the GTTA will deliver for commuters in the greater Toronto area and Hamilton.

**The Deputy Speaker:** Questions and comments?

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to add some comments on the speeches by the member from Ottawa-Orléans and the minister to do with Bill 104, An Act to establish the Greater Toronto Trans-

portation Authority and to repeal the GO Transit Act, 2001.

I would like to briefly comment about the fact that the government has made a transportation-related announcement today in the north. I understand the member from Nipissing has sent out detailed information on that announcement, and comment on the fact that I had inquiries from the Almaguin News wanting to know if my office had that specific information. I have to say that the government didn't have the courtesy to share that information with my office. I'm sure we'll be able to get it, but you would think it would be common courtesy for the government, when it's making an announcement that affects a riding, to share that information with the sitting member, whether that member happens to be a Liberal or is a Conservative.

On a number of occasions, I have had the Almaguin News specifically ask me about other announcements that have been made by the member from Nipissing that affect the riding of Parry Sound-Muskoka, when we have not had that information and have had to then go and ask and dig for it. I would say that the government should show some common courtesy and give that information to all members of this House, whether they are NDP, Liberal or Conservative.

**1620**

That is a transportation-related item that I would like to relay in this short couple of minutes because it has been raised with me on a number of occasions by the Almaguin News in my riding of Parry Sound-Muskoka.

**Mr. Peter Tabuns (Toronto-Danforth):** The reality is that any transit plan is only as effective as the foundation of sustainable planning that it rests on. If in fact you have an urban growth, if you have an urban form that makes it impossible to economically sustain transit, if you have an urban form that is without a centre in which you have different elements chaotically mixed through it—strip malls, a mixture of retail and industrial with no rhyme or reason—ultimately, it doesn't matter what kind of act is passed by this House or what sort of funds are put into transit; the problem of congestion and gridlock will not be solved. That is the first and most fundamental problem with the act before us, because it rests on a foundation of sand, and that is the lack of sustainable planning in the Greater Toronto Area and Hamilton. It alone will not be able to do anything.

After that is the simple reality that what's been put before us is a bill providing authority to a body which, in fact, has no promise of future resources, future money. This is a body that will meet the same fate as the Greater Toronto Services Board. It will flounder around. It will meet. It will put out plans. It will administer GO Transit. Maybe it'll make some advances on the smart card. But in the end, the fundamental problems of gridlock, congestion, air pollution, greenhouse gas emissions that add to climate change—all of those problems will continue largely untouched. That's not solely my analysis; that's the analysis of the Toronto Board of Trade and the Ontario Chamber of Commerce when they appeared before committee.



**The Deputy Speaker:** Questions and comments? The member for Hamilton Mountain.

**Ms. Judy Marsales (Hamilton West):** Well, Hamilton West, but thank you, Mr. Speaker.

**The Deputy Speaker:** The minister is from Hamilton Mountain. Sorry. Hamilton West.

**Ms. Marsales:** I'm very proud to stand and support this legislation, and even prouder of the Minister of Transportation for bringing this legislation forward. I am a commuter, so I have first-hand experience in terms of the gridlock on our highways. The opportunity cost of many businesses that rely on the infrastructure to move their goods and services is just huge. Businesses every day see their trucks and services sitting in traffic for hours upon hours.

Commuters don't use or even see municipal boundaries. That's why we need a seamless transportation system.

Hamilton is at the pulse of transportation systems with our airport, with our network of highways, with our port authority. We rely on transportation to support our industry, to support our businesses and to support employment in the general Hamilton area. Whether we're moving goods and services from the United States to other parts of Ontario, whether we're moving goods and services around the Toronto area in general, it's very important that Hamilton is a part of this greater Toronto transport authority. We're very pleased and proud that we have been included in this legislation. When we see the need for innovation with respect to how we move people and services around, this innovative legislation is really a step forward.

I am so proud that Hamilton has been invited to the table to speak to some of our challenges as we move our community forward as we try to create employment opportunities and a new vision for our industry in Hamilton and to be a successful, vibrant community as we move forward. This is a great piece of legislation.

**Mr. Norman W. Sterling (Lanark-Carleton):** The greater Toronto transit authority is sort of a good idea, but the problem is, you can't implement the idea because there's a gap between the people who have the money and the taxing power, and the people who are going to sit on this board.

So you're going to have a great deal of frustration shown, as was shown on the Greater Toronto Services Board, with the whole role of the individuals who are on this particular board to effect change. That is one very glaring fault with this bill, and, as mentioned before, it was raised by the Toronto Board of Trade and a number of other groups.

The other problem with this is that it allows the Ministry of Transportation to back away from their provincial responsibility in this area. It's my feeling that it should be the Ministry of Transportation for the province of Ontario that should be fulfilling these functions. The Ministry of Transportation for Ontario should be making plans for the greater Toronto area, in consultation with municipal governments, and spending the money where

it is best suited and most efficient to use. I have a great deal of fear that this government's agenda with regard to the GTTA is to say, "Well, we've finished with that problem. We can just throw the whole problem over to the greater Toronto transit authority and blame them for gridlock as we go forward."

We have a tremendous Ministry of Transportation—of which I had the privilege of being the minister—in this province, with a long, proud history. This is an abrogation of their responsibilities, trying to throw them on a powerless board.

**The Deputy Speaker:** Member for Ottawa-Orléans, you have two minutes to respond.

**Mr. McNeely:** I'm pleased to have participated in this leadoff debate with the minister today. Some of the documentation and some of the planning that has been going forward in the last couple of years—the greenbelt plan, the Places to Grow plan and the proposed growth plan for the greater Golden Horseshoe—are excellent planning documents that are available now to the GTTA to move forward.

The member from Toronto-Danforth said otherwise, but I believe there's an excellent foundation for the Greater Toronto Transportation Authority. It's going to have a specific focus on sustainable transportation. The foundation is strong and the dollars are there for a great start-up, with the \$838 million for the extension of the Toronto transitway, \$95 million for the Brampton AcceleRide program and other dollars such as the gas tax dollars.

The member from Hamilton West expressed the desire of Hamilton to be part of this planning process that's so important—not only planning initially, but the five-year plan that must be brought together for capital works. This will be seamless public transportation from Hamilton to Oshawa. If public transportation is going to work, it has to be in a coordinated fashion. The planning will be done in coordination with all the municipalities; it's not a top-down thing. I'm sure the Greater Toronto Transportation Authority will be very successful as it moves ahead to improve transportation in our area.

**The Deputy Speaker:** Further debate?

**Mr. John O'Toole (Durham):** I first want to advise the table and the Speaker that I would like to share my time with the member from Burlington, Mr. Jackson, as well as with the member from Whitby-Ajax, Mrs. Elliott, in this leadoff response to Bill 104.

I just want to briefly cover three or four points, respectfully. We did participate in the hearings on Bill 104, and I acknowledge the work of my NDP colleague from Toronto-Danforth, who made some very valid recommendations and amendments, as did our caucus. I found a serious reluctance on the part of the government to adopt even the most modest of those amendments, many of which, by the way, we in the opposition—that is the NDP and Conservatives—found agreement on, addressing what I'd consider the new urban forum.

It brings to mind, as I sort of digress here, that we'll probably be supporting this bill, even though we're not



sure what it does. That's not a very polite thing to say. We support the need to have a strategic plan for the Greater Toronto Transportation Authority, and that's what's missing. Both opposition parties tried to move meaningful amendments, some of which we agreed on and some of which we didn't. But there's a real willingness to move forward to deal with gridlock and the impact on our quality of life in a very busy economy and in the very busy quality-of-life issues that are at stake here. We all use the terms "gridlock" and "congestion." We see in the media and on television almost every day of the week the burden on our overtaxed, overutilized infrastructure in Ontario.

1630

When I say that we tried to move amendments, we did this in consultation. We were active in working with the Toronto Board of Trade and the Ontario Chamber of Commerce. I'm looking at the first memo I got from them in early May—I guess it was April; I'm looking at the one from May, this one here, and I want to put it on the record: "The Ontario Chamber of Commerce and the Toronto Board of Trade represent the interests of a large cross-section of the Ontario business community, small and large. For the past three years, our organizations have strongly supported the establishment of the Greater Toronto Transportation Authority."

I should remind those listening today and those paying attention that this is another one of those promises that the Liberal Party made during the election, and here we see an empty shell dropped on the table three years later. Quite frankly, it's disappointing. There is really nothing in the bill: There's no money, and the governance model is designed to fail. This isn't me trying to be hard on the government; I know they are trying to solve this problem. But it isn't a very high priority, and that's what's really disappointing.

In trying to relate this debate to what happens on a day-to-day basis, as the critic for transportation, there were two announcements made today, one by Minister Cansfield—I congratulate her; she's new at this ministry, and she's certainly doing the best she can with what limited resources she's been given—and also Mr. Caplan's on Places to Grow. Those two policy directions, or those commitments or announcements by the government, are very, very important to deal with gridlock, congestion, pollution, all the rest of it—that whole "How many people can you cram into how much space?" That's kind of what this debate is about, and it's related to 104, which is the governance model of how we're going to put these policies and plans in place as we go forward over the next number of years.

But I go back to one of the comments made in the May 26 letter from the Toronto Board of Trade: "Expand or set criteria ... to ensure the board of directors has majority representation from the private sector." That's one of their recommendations. What they meant by "private sector" is experts, academics, those who aren't politically biased or bound—we admitted in the hearings that when we set up in the process of changing

responsibilities of who does what, who pays for what, called the Crombie commission, we set up a delivery model called the Greater Toronto Services Board. That services board represented pretty much a similar mandate here. They had Halton, Peel, York and Durham, and the city of Toronto. That's the area this governance model was supposed to address. On that board they were all politicians. We're politicians, so we're not just casting aspersions on those people, but they were gridlocked themselves; they couldn't make a decision. That was the problem the caused the Greater Toronto Services Board from our government to fail. As such, we gave them the best advice on what we did in our experience.

They've got one member from the regions I mentioned, as well as from the city of Hamilton, in this governance model, and four from the city of Toronto. They are the largest. They have the greatest number of utilizers of transit, I suppose, the greatest number of people. There are two appointments by the province. It's an 11-member board, and the two appointments from the province will be political appointments—order in council—and they will be the chair and vice-chair. So, at the end of the day, the minister will say, "This is what you're doing." The chair and vice-chair have the controlling votes. If you look—four from Toronto and four from the regions and one from Hamilton—they run it, they own it, they have the control and they will do as Minister Cansfield says.

How I'm trying to relate it to the other statement made today, the Places to Grow document, quite frankly, is an outgrowth of a document we started, called the Smart Growth Panel, or whatever it was called, but a similar process of policy development by the government. I think it's led by civil servants, and good for them; I'm not casting aspersions on them. They're trying to move forward to address growth, gridlock and the drag on the economy and our environment, and they're trying to make policy recommendations to the government. But what's missing from Bill 104? There's nothing in it.

Most of the experts on this panel that I talked to on the day of the hearings and the one day of clause-by-clause were not what I'd call politically active, partisan type people. These were board-of-trade people who are working with David Miller and all the rest of it. Most of the stakeholder presenters—and I could read them to you. The city of Mississauga was there, and Hazel made an appearance. We had Len Crispino from the Ontario Chamber of Commerce. They had the city of Brampton. Mayor Susan Fennell wasn't there; they had Clay Connor, I think it was. Then they had Neil Rodgers from the Urban Development Institute. They had the Toronto Board of Trade, Angela Iannuzziello. The city of Toronto made a presentation. It was quite interesting, because Howard Moscoe was there; it was the day he got rid of the head of the TTC. There was John Best of the Southern Ontario Gateway Council, and he had quite an interesting presentation.

One of the more interesting presentations—again, these were primarily, I thought, quite good. I know the member from Ottawa—Orléans would probably love to agree with me, and I'm sure he's been given instructions



not to. There was a presentation, I felt probably the most interesting one, from the SMART group from McMaster. This was the Student Math Action Research Team. I thought it was quite a good presentation; if you go back and look at it, Mr. McNeely, you'll find that it was an excellent presentation. It was talking in a broader sense about what a transportation plan would do for the economy and the environment and the choices the government has to make to make those things happen.

The paper that they submitted brought to attention one thing that I would say is related to congestion. We talk about how much gridlock is costing the economy. Just put your head around this one fact that these math students and their professor presented to the committee. It says:

"If a car and a half produces a tonne and a half of greenhouse gas in a year and a half, then how many tonnes of GHG does a car produce in a year?"

"The answer would be two thirds of a tonne, similar to the two thirds of an egg in the ... chicken and egg question. But you might be interested to know that two thirds of a tonne would mean the car burned"—this is important—"278 litres of fuel over the 52-week period or only 5.34 litres per week. The reason for that is that a tonne of GHG is produced"—this is the key for all of it—"for every 417 litres burned," and the amount of emission of greenhouse gas increases with congestion and gridlock. They are saying that by not having an efficient flow of transportation, you are producing a huge amount of greenhouse gas, which at the end of the day is what this is all about.

I thought it was quite interesting, and it demonstrates to me that the hearings were truncated. In fact, these people only had 20 minutes to make very technical presentations, and I thought it was a disservice to those groups I've mentioned that took the time to research the bill.

The bill itself is quite small; it's 26 pages. It's in both official languages, so it's 13 pages. In fact, if you look at the number of amendments, the vast majority—there were 63 amendments. Here are the amendments and here's the bill. This thing here has got a lot of serious work. First of all, the governance doesn't work; secondly, there's no money in it; and thirdly, I'm questioning whether or not the government really has the heart to make this thing work.

I'm going to say, in concluding my remarks—just to notify subsequent speakers—that with this bill we did make presentations, recommendations and amendments, which were voted down. They were with the best of intentions, often supported by both opposition parties. We worked in a non-partisan, non-biased way, because I believe at the end of the day we've got to work together to get this right, for all the right reasons—for the economy, for the environment and for the whole waste of human time, of people sitting, as many do, in gridlock today.

1640

The evidence is before us: What you've done in three years is absolutely nothing. In fact, the announcement

today is a disappointment to those people paying attention to this file—and as the critic, I am. The previous government committed, over a 10-year period, \$1 billion a year in the budget. What they announced today was \$3.4 billion over five years. That's a reduction. Furthermore, the money they announced in the last budget was some \$650 million for a transit system into York, extending Spadina into the York University area. That isn't happening for years. That's five or 10 years away. This is money that's not going to be spent in their mandate.

What I want to see here is a commitment to doing what you say, in policy and in financial commitment. There's nothing in this bill that assures me in the governance that it will work. There's nothing in this bill that has money to make it work. The Toronto Board of Trade and the Ontario Chamber of Commerce are disappointed, as well as the Canadian Urban Institute and others watching this file. I will encourage our caucus—and our leader, John Tory, supports the need to find workable solutions. But I'm disheartened. I'm cautioning. They voted down all of our amendments. There's no strength or teeth left in this piece of legislation.

We'll persist over the summer. Our leader, John Tory, and our caucus will be meeting with whoever will listen: the Canadian Automobile Association, the truckers' association, the tow truck operators. We are trying to get a group of people to solve this thing on gridlock and to make Ontario's economy and our environment work.

There's more work to be done on this file. Again, I'm saying we're going to probably support it. I'm disappointed in that—I can only just say in good faith that we'll be voting for it because this problem has to be resolved.

With that, I'd like to pass the floor to the member from Burlington, who's ready to start right now, I think.

**Mr. Cameron Jackson (Burlington):** Apparently, I'm ready. I want to commend my colleague for the work he has been doing on the transit file, and not just as the recent critic. This has been a long-standing concern of his as someone who, like myself, commutes virtually every day from the bookends of the GTA. He's in Durham and I'm in Halton, and we certainly put up with a considerable amount of gridlock. In fact, I was talking to a friend of mine, Graham Murray. Most people in the room know Graham Murray of GP Murray Research. We were talking about my coming here for 22 years, and he was saying, "Well, Cam, let me figure out how much time you spend in your car." I said, "Well, about two and a half hours every day, and some days three hours, but the average is two and a half." That's four days a week, times 42 weeks of the year that we're busy here at Queen's Park, times 22 years. It works out to the fact that I've spent one year and eight months of my career at Queen's Park in my car. That's how much time I've spent in my vehicle. Of course, I have the mileage to back all that up, and it hasn't been pleasant. I'm sure people are saying, "Why weren't you commuting on GO Transit?" I would have, but just for the first—

**Mr. McNeely:** You cut the funding.



**Mr. Jackson:** We didn't get full service until a Conservative government, so I'm glad Mr. McNeely reminded me of that. We didn't have full service to Burlington in my first 10 years in this Legislature. That's just something we've enjoyed in the last 10 years, thanks to the previous Conservative government.

That's not to say that the current government isn't making a commitment to GO Transit—it is. However, this legislation is an important step. My colleagues have spoken about the concerns on the record with respect to the fact that it's late in happening, that it doesn't have the full authority to raise capital and to manage directly some of the programming and to have what we call here oversight of the program. This is going to be a bit of a challenge. It shouldn't limit our ability to support the principle that is being applied here to have a Greater Toronto Transportation Authority.

Coming from Burlington, I also would like to put on the record that we have an excellent candidate, if the minister is interested: the mayor of Burlington, Rob MacIsaac. I've indicated on many occasions that he would be an outstanding nominee to be considered for this. I think the same of Rick Ducharme, whom I have had the pleasure of working with over many years when he worked for GO Transit before he went to manage the TTC. It's unfortunate that the citizens of Toronto won't benefit from his leadership, his stability and his professionalism, but I wish Rick well on a professional and on a personal basis. Either of these two men would make an outstanding nominee to be the head of this new agency.

In the debates in this House, I commented as follows: On the Greater Toronto Transportation Authority, the mayor of Burlington, Rob MacIsaac, would make an outstanding nominee. He is on the list for consideration to head up the GTTA, and I personally would support that. Here is a person with great municipal experience who understands the transit tension between upper-tier and lower-tier municipalities, and I think Rob MacIsaac would make an outstanding contribution.

So I am hopeful that the government will take the time to seek out a candidate of his calibre. He has announced to our community that he is leaving political life, but he's not necessarily prepared to leave public life in support of the community or the province which he has been serving.

I think it's important to note that as a mayor in a regional municipality, he is aware of the fact that there is tension between upper-tier and lower-tier municipalities in the GTA as to who should be delivering these services. Sometimes the region feels that it is the best way to coordinate. I think of communities in the Niagara Peninsula, for example, when I was the minister looking at the disability act and looking at access to disabled transit services. In Niagara this was very difficult because, if I remember correctly, they had 17 different transit systems inside one regional government umbrella. That really makes it very difficult to coordinate integrated fare structures, which is what the real promise and the hope is for the GTTA. The government is admitting openly that it

will not be able to put together and to make available to commuters in the GTA an integrated fare system and a common transit card until at least 2010. It's going to take that time to iron out the wrinkles between those communities within the GTA that operate their transit at a local level and those communities within the GTA that operate at a regional level. This is not easy, because mayors and regional chairs don't like to give up turf. It is an unfortunate thing, but frankly, what I have learned with all my years in public service is that the public asks of its politicians, at whatever level of government, "Please tell us or demonstrate to us as taxpayers where we can get the best service for the best price and to be the most effective deliverer of those services." I think the public increasingly, looking at transit, is saying, "Look, this should not be a turf war between the region and the city. This should be all members of council at the upper or lower tiers coming together to ensure fare integration and these other elements that come into play with Bill 104."

**1650**

I'm also pleased that it will allow for large bulk purchasing of rolling stock and others. Again, this is very tricky to do because there isn't really a direct authority to spend given here. However, the province is responsible for much of the transfer of the funding. The federal government now has tax revenues in place that they are making available to municipalities for transit purposes. Those dollars may not have as much oversight on the part of the GTTA or from the provincial government. That's my understanding of it, that the federal government is allowing for a little more latitude of the municipalities in their expenditures. I consider that to be one of the challenges. But like any level of government, you sit down, you work out what your problems might be and you deal with them head-on in the hope that resolutions come in the best interests of taxpayers, who ultimately are footing the bill.

Much has been said about some of the deficiencies in this legislation. Hopefully, the government heard that message in clause-by-clause and with public hearings. We would have liked to see a little more time spent on developing a much better, stronger plan that would have true authority to it with some spending powers.

On that note, I wish to thank my colleague from Durham for his support and presentation on this matter. I would now like to defer to my colleague from Whitby—Ajax.

**Mrs. Christine Elliott (Whitby—Ajax):** I am very pleased to be able to join the discussion this afternoon on Bill 104, on the Greater Toronto Transportation Authority, and also to commend my colleague the member from Durham, who has done an excellent job as the lead for our party with respect to this particular piece of legislation. In my view, he's done a very good job with it.

Certainly, there's no question that a strategy needs to be developed to deal with the development of transit and roadways in the greater Toronto area, because there are many areas—like Whitby and Ajax, in my riding—that



are exploding with growth and population. There needs to be something done in order to address this and address it fairly quickly.

But as has been expressed previously by the member from Durham, there are still some concerns with respect to the operation of the authority and how effective it will be. Particularly, there is the fact that the authority is going to be an advisory rather than an operational authority. The language that's used in the legislation deals with advising, recommending, working together and so on, leading one to wonder at the end of the day whether it's going to be a really effective body or whether it's just going to be another place for people to get together and have a disagreement. Hopefully, it is going to have the proper advisory capacity that it requires, in order to be able to work with confidence and effectiveness in this area.

Secondly, the authority deals primarily with transit issues, which of course is necessary, but I would submit that the issue of roads is of equal importance. Having spent time recently in the by-election campaigning in Whitby–Ajax, I can tell you that the infrastructure issue was one of the most pressing issues to the constituents in Whitby–Ajax, along with health care funding and education. The frustration that people feel on a daily basis trying to get primarily to Toronto and back to Ajax, Oshawa or further, is really starting to wear people down. It's affecting the quality of life, and not just the economic activity. So something needs to be done with respect to the roads. What I'm hearing in terms of feedback from my constituents is that there is a pressing need for Highway 407 to be extended to Highway 35 and 115, that it's necessary in order to be able to accommodate not just the population growth that we have now but the anticipated population growth that is expanding tremendously on a daily basis. This I heard at almost every door that I went to during the most recent by-election.

Then, dealing with Durham region specifically, when one takes a look at the March 2006 budget by the McGuinty government, there was \$1.2 billion that was allocated for transit and roadway funding, of which \$670 million was to go to the city of Toronto and York region for the expansion of the subway up to Vaughan; \$65 million was going to Mississauga; and \$95 million to Brampton. A notable exception here was the region of Durham, which got absolutely nothing of substance. In my view, the needs of Durham have to be addressed, in conjunction with all of the other municipalities in the GTA, for this to work. In my view, the transit authority is going to need to recognize the equal importance of all of the regions in developing a comprehensive plan that's going to meet the needs of all of the residents of the greater Toronto area. Those are my submissions.

**The Deputy Speaker:** Questions and comments?

**Mr. Tabuns:** I appreciate the comments from my colleagues in the official opposition about this bill that's before us today. As I commented on briefly in my last round of comments, it's not just the opposition that has concern about the effectiveness of this bill, and it's not

just the NDP that has concern about the effectiveness of this bill. On June 1, during the hearings into this bill, we had presentations by the Toronto Board of Trade and the Ontario Chamber of Commerce, who spoke very strongly in favour of the need for just such a body, a body that had the resources, the powers, the direction to actually come to grips with the congestion problem here in the greater Toronto area and had, ultimately, the task of reducing that congestion and gridlock which all have identified as a significant—in fact, a profound—problem in this area.

I asked deputants for both those bodies if this bill, as written, would actually deal with congestion and gridlock. They had made a variety of suggestions for amendments, many of which were brought forward by the opposition. I asked them, “Will this bill deal with the problem at hand?” Both were very clear: It will not. I may not have supported some of their approaches, but in the end, they wanted to do something that would be effective. The amendments that they wanted and the amendments that were put forward by our party to actually make a difference, to provide this authority with the background, the strength, the foundation to deal with gridlock and congestion, were not adopted by the government.

So, in the end, I think that the prophecy of the board of trade and chamber of commerce will come true: This bill will come to nothing. Gridlock and congestion will continue to become greater and greater problems.

**Mr. Bob Delaney (Mississauga West):** It is a rare treat to agree with a statement from my colleague the member from Durham, but he's certainly right when he calls the former government's Greater Toronto Services Board gridlocked. Truer words were never spoken, and that's why our government has brought forth a far superior structure, the greater Toronto transit authority. The members of the opposition may speculate on how functional the GTTA will be once it is operational, but the homeowners in northwest Mississauga don't share one iota of their skepticism.

Next year, those people in northwest Mississauga are going to be getting on the train at Lisgar, where 10th Line crosses the tracks, at the first new GO train station in Mississauga in 25 years. The party now in opposition—and likely to stay there for years and years—did nothing, absolutely nothing in eight long, bleak years. They could have built Lisgar, but they didn't. They announced and reannounced and recycled their re-announcements, but the roads just got thicker with exhaust-spewing traffic. Next year, the train will stop at Lisgar between Milton and Meadowvale. At least 750 fewer cars will be on the roads because they can be parked at Lisgar. The buses will drop off homeowners from Lisgar, Churchill Meadows, Meadowvale and other areas, and some of Mississauga's choking traffic is going to have a reason to stay home courtesy of the Greater Toronto Transportation Authority.

Lisgar is just where the future starts. The GTTA has the resources, the power and the mandate to resolve the gridlock in the greater Toronto area. In fact, one of my



constituents in Streetsville, a certain Hazel McCallion, also agrees. This is the solution.

1700

**Mr. Miller:** It's my pleasure to add some comments to the speech on Bill 104 made by the member from Durham, as well as by the member from Burlington and the newly elected member from Whitby-Ajax, who has been very active speaking in the Legislature whenever she has an opportunity, particularly where it's an issue that relates to her riding of Whitby-Ajax. Certainly, gridlock is an issue that affects the people in Whitby-Ajax, so she again today was speaking up for those constituents.

The member from Mississauga West talked about announcements being made and no action. Well, this bill has been announced in two throne speeches and a number of budgets, yet there's still a lot of detail missing. The GTTA's role is advisory, not operational; it will only be able to recommend. It will have to use its powers of persuasion, not any legislated authority, to have its advice accepted by the TTC and other municipal public transit authorities. There is actually no power in the bill, no language to get anything done or to get any transit built.

We have a real problem with gridlock in southern Ontario, particularly around the Toronto area—anyone who drives in the city would be aware of that—yet so many issues are not being dealt with. Also, in this bill there's no legislative requirement for the provincial or federal governments to agree to the GTTA's recommendations on transit improvements. The implementation of a single fare card, which was announced last year, will not be implemented, if you can believe it, until 2011, which I would say is an eternity in terms of something so needed and simple as a single farecard. So we're greatly lacking in details on this bill dealing with the GTTA.

**Mr. Peter Kormos (Niagara Centre):** It was a pleasure and most insightful to listen to the comments during the course of the lead speech, if you will, by the Conservatives, Ms. Elliott's refreshing voice, with great insight, here in this chamber. I say this in all sincerity: It's delightful to have somebody who has such a strong grasp of the issues and someone who knows the GTA area, the 905 area, oh so intimately. I'm as much looking forward, however, to the upcoming comments by Peter Tabuns, who of course is the critic for the New Democratic Party, the member from Toronto-Danforth, who knows Toronto, knows the region. He sat through the committee and worked incredibly hard in an effort to improve this legislation—quite frankly, not just to improve it but to try to perform some alchemy to make something out of what will end up—because it is—nothing. Almost 30 amendments—thoughtful ones—reflecting the experience of this member, 30 amendments reflecting the input from interested, concerned parties—not one accepted by this government.

This is the Dalton McGuinty that he and the Liberals say is going to engage in democratic renewal, give more effect to the role of individual members and display some

modest amount of respect and regard for the public participation in committees? Hooey. I say to you, one of the saddest lack of responses on the part of this government was to the obvious request and suggestion that there be a labour rep on this authority. Think about how valuable and useful that would be in the context of some of the recent problems. When you're talking about having to integrate, in a small-i sense, any number of authorities with any number of bargaining units, what an absolute failure on the part of this embarrassing government.

**The Deputy Speaker:** Member from Durham, you have two minutes to respond.

**Mr. O'Toole:** I won't repeat the member from Whitby-Ajax and the member from Burlington's very valued comments and their willingness to participate in this with the hope that we will get something, not just for our ridings but for the province of Ontario. We're all somewhat disappointed.

The member from Whitby-Ajax did a marvellous job in putting a voice to the concerns that we both, working together, hear about the expansion of 407, as well as enhancing transit and the GO service in our area. With over 500,000 people, there's more to be done; not just that, but the 401 interchanges and the work that needs to be done there.

We'd like to leave three main messages here that we heard during the hearings and consultations as we went through.

First of all, providing the Greater Toronto Transportation Authority with more power: We moved amendments on that. We heard that from the chamber of commerce; we heard that from the boards of trade. Indeed, we heard it from some of the municipal councils as well—well aware of the political gridlock that threatens the viability and success of this important decision.

There's no strength in here—that's item number 2. There's no financial backing in this. There are no provisions outside of the minister and cabinet to allocate sums of money. There's no ability to raise funds or to go to the market in any way that's clear and independent, to give them a sense of autonomy.

The addition of outside experts, both from the financial community as well as the business community broadly, dealing with transportation issues as well as academic research, would add some real strength and meat to the skeleton here.

Those are the three things where we find it is an unfortunate early demise only to fulfill a failed election promise. Once again, they're at broken promise 55, I think.

But you know, even the announcement today—and I'm looking forward to the NDP member from Toronto-Danforth as well, because he knows so well that this is not going to work. Even though we've tried to work and we're going to vote with it, they took money out of the announcement today. That leads me to be very suspicious, looking forward on this bill.

**The Deputy Speaker:** Further debate?



**Mr. Tabuns:** It's my pleasure to rise and speak today about Bill 104 to constitute a Greater Toronto Transportation Authority.

I want to take us all back to the comments initially made by the Minister of Transportation, the Honourable Harinder Takhar, on May 1, 2006. At that time, he made a leadoff speech about this bill. He put it before the House and set out his reasons for taking action on this issue. He talked—in fact, he used the words why it was “critical to act.” He noted that there are 5.5 million people living in the greater Toronto area and Hamilton and that the highways in this whole area are close to capacity. Now, we all know that this region is going to continue to grow. We know it's an attractive region. We know that people are coming here. We know that for the well-being of Toronto, the well-being of Ontario and, frankly, the well-being of Canada, there needs to be an intensification of this region.

He pointed out, however, that the cost of congestion, given the current way that this region is structured, given the current way this region is served by transit and highways, is \$1.6 billion annually, which is a huge amount of money—\$1.6 billion means a lot to the productivity, the well-being, the incomes of people who live in the greater Toronto area and Hamilton.

But in fact, what we're looking at is the opener, not the end, not the final case. What we're looking at is the opener, because the reality is that, as this region continues to grow, as it continues to add more residents, hopefully more employment, it will become more congested. In fact, he suggested that, on a business-as-usual basis, with no action taken to deal with our transit crisis, to deal with the unsustainable sprawl that we face here, commute times by 2021 would be 50% greater than they are today and the cost of congestion would go from \$1.6 billion to \$7 billion a year.

Now, this is pretty substantial. The year 2021 is about 15 years from now. So I would say seven years from now 25% longer commute times; three years from now 12% longer commute times. In fact, within a term of government, people will see that it will take longer and longer to get from point A to point B in the greater Toronto area and Hamilton. People will see more of their lives and their productive time taken up sitting in traffic, listening to radio morning shows, evening news shows, in fact probably listening to late-night news shows as they sit there on the 401 outside Oshawa, hoping to be able to get close to their home.

1710

In his speech, the minister, who talked about those economic costs, didn't talk about the smog impact. He could have, because as we know, within the city of Toronto about 1,800 people a year die from the effects of smog. They tend to be the very young, they tend to be the very old. Not all of that is attributable to auto, but about 63% of the smog in the GTA can be attributed to exhaust from transportation. So in fact gridlock and congestion have an impact beyond the simple problem of lost wages and people spending their lives out on asphalt; it has a direct impact on their health, their life and their death.

Today Minister Cansfield talked about gridlock, talked about a cost of \$28 million a day for congestion and gridlock. These are very substantial numbers. These are numbers that reflect a substantial impact on the economy of this region. But what we have is a lack of action on this very problem. This bill will not correct the crisis that has been identified both by the previous minister, Takhar, and the current minister, Cansfield.

The parliamentary assistant, the member from Ottawa-Orléans, said that we will have to address these problems through the GTTA and other steps today, and for people tomorrow. We have to get them to lay down their car keys. We have to bring forward these solutions to congestion, to gridlock. I would say that the ministers—both of them—and the parliamentary assistant were quite correct in that these are fundamental problems that have to be addressed. Unfortunately, they are fundamental problems that will not be addressed by the legislation before us. In fact, the legislation before us will largely be irrelevant, and that is quite tragic because it is an opportunity missed.

There's no question that all around this House there is a consensus that we need a body—a functioning body, a well-resourced body, a body with the authority and the backing to actually deal with transit on a regional basis. We know the time has come for that. We know we've had years of low-density sprawl. We know we've had a problem with a lack of provincial funding for transit across the GTA, and we know that's no longer desirable, if it ever was. It's certainly no longer affordable, from an economic, environmental or human health perspective.

We know that every year, that number of people I cited dying from smog, from bad air, will increase. And we know that those impacts on our environment, on our economic prosperity, those problems that arise from climate change are going to have an impact on the viability, the wealth and the well-being of this society.

Transportation-related emissions are responsible for about one third of our greenhouse gas emissions and 63% of Ontario's total emissions of smog-causing nitrogen oxides. We're talking not about an insignificant problem here; we're talking about a major problem, a substantial problem. And yet we're not seeing action on the part of the McGuinty government that will ensure that public transit is properly funded. We're not seeing action that puts funding for public transit ahead of more highways and more urban sprawl.

Last week the McGuinty government announced the finalized greater Golden Horseshoe growth plan. That growth plan falls far short of the government's stated objectives of reducing sprawl and increasing the availability and use of public transit. If you're going to have a transit plan that works—just like an architect who knows that the foundation they build or design for a building is crucial to the functioning of that building—you have to have a foundation of sustainable planning. And if the density is too low, if the density is one that cannot sustain public transit with a regularity and a level of comfort that takes people out of their cars, then it doesn't matter,



frankly, whether you have a transit system or not, because that transit system will be irrelevant.

If in fact you have an urban form that does not have centralized nodes, that allows people to say, "Here we will develop our living quarters, here we will develop our working quarters, and we'll develop the transit that shuttles people between both," if you have a chaotic mix, then it's extraordinarily difficult to build a functioning transit system. That's the problem faced by cities in North America, like Los Angeles, where sprawl goes on to the horizon, serviced by expressways that people spend many years on. They are trying to deal with an urban form that doesn't work. We here in the greater Toronto area are replicating that urban form and, unfortunately, tragically, the plan that's been brought forward, the so-called growth plan, will not deal with that problem.

I was quite surprised a few years ago to be told that in fact in the greater Toronto area, outside the old city of Toronto, the new development has a density comparable to or lower than that in Los Angeles, which I find extraordinary; to think that we would have seen what had happened in that city and we would have allowed a replication of that urban form. Because we've done that, it is always going to be fundamentally problematic for us to establish a transit system that's going to work. So this plan for a Greater Toronto Transit Authority is built on a foundation of sand. It isn't a very big building—in fact, it's a very spare shelter—but it is still not built on a viable foundation.

If we're going to have a framework of planning that actually gives us what we need, we have to increase or intensify development within the existing urban envelope across the GTA. The Neptis Foundation, which has done a fair amount of work on the whole question of growth and urban form, commented on the intensification of development that we're looking at here. They've said, "Research indicates that the amount of new residential development that would be shifted from farmland to genuine intensification is likely to be insufficient to produce the plan's desired outcomes."

So in fact, this question has been studied. This government is well aware of what it would take to meet the goals, to actually have a level of intensification that would allow for sustainable transit and thus a reduction in congestion and gridlock, and yet it has ignored that. It has set aside that analysis and decided to go with a model that will only ensure that we will see more sprawl. Just to note, as well, that the plan we're talking about will be phased in around 2015. That means that for the next decade, we will continue to build at a level of sprawl that will guarantee that many people who live in the greater Toronto area, who live in the regions around Toronto, will spend more and more of their time sitting in their cars in the middle of express lanes that are not moving.

This government, for reasons that I don't understand, didn't ensure that intensification rates were at a level that allowed for sustainable transit. It opted for lower intensification rates, and those rates may well satisfy developers. If you're a developer and you've got a parcel of land

somewhere and you need to have it developed, sure, it doesn't make any sense in terms of the larger urban framework that we should have in place in the GTA, but there are bucks to be made. You will do everything you can to ensure that a road goes there, a sewer goes there. You can put in a sub-development and you can roll on because there are huge dollars to be made. But that does not lead to an urban form that will allow us to actually get around in the future; it leads to an urban form that leads to paralysis.

1720

This point about lack of action, deferral to business as usual, was made by the Pembina Institute in Saturday's Toronto Star. The research director of Pembina, Mark Winfield, stated that the Liberals' growth plan for the greater Golden Horseshoe, "started out quite bold and quite visionary.... It got mushier and mushier and closer to an affirmation of business as usual."

Earlier today, the Minister of Public Infrastructure Renewal read a long list of people who talked about the visionary nature of what the McGuinty government was engaging in with regard to urban planning. I would not be surprised if those people spoke about the initial plan, spoke about the initial approach that was taken, but not about this final plan, because if the studies that have been done show that the plan, as proposed, as put on the table, is not one that's going to allow us to develop sustainable transit, then frankly, I can't see why anyone would be thrilled with this; no one.

If you have a growth plan that doesn't give you the density, the form of development that will actually allow for a transit system to work properly, then one shouldn't be surprised that Bill 104 itself doesn't provide the mechanism, doesn't provide the funding, doesn't provide the framework that allows one to implement a rational transit system for the GTA—not just a transit system; a transportation system across the GTA. Although I'll go into this further, that's what one sees when you go through this bill. One sees a shell. One sees GO Transit with a smart card division and a planning section, and that's it. That is not going to resolve gridlock and congestion in the GTA. This may make some planners happy because they will have jobs. We will get plans—and I've seen many over the last 15 or 20 years—that sit on shelves: fabulous plans, full-colour plans, stimulating plans, exciting plans, but plans that, ultimately, because no money will be allocated and no political capital expended, sit waiting for the next millennium.

I've talked about the growth plan, which is the foundation for any useful transit plan, and I've found it, at a minimum, to be wanting. I can assure you that the minister or her parliamentary assistant can say that this plan is a solid plan, that the foundation is strong, and I think the parliamentary assistant made exactly that statement earlier this afternoon. I want to just look at some of the numbers that are involved in this plan, because I had a chance on Saturday morning, reading the Toronto Star, to look at the summaries of some of the densities and the transit plans that flowed from those densities.



I'll give you an example of a neighbourhood, and I'll try to pick a few other neighbourhoods in Ontario. The Annex neighbourhood in Toronto, in the Spadina-Bloor area, supports about 150 people and jobs per hectare. If people have walked through it, it's well treed, it's comfortable. It's wonderful in the evening to walk around. People are out on the street. It's an extremely comfortable neighbourhood and very desirable. Similarly, if you go to Ottawa Centre, just north of the Queensway above the Glebe: reasonable density along Bank Street, lots of shops, regular transit down Bank Street, a mix of homes and apartment buildings; a density that, just eyeballing it, looks comparable to the Annex. The east end of Hamilton, where I grew up, Kenilworth and Main area, Barton and Ottawa Street: you see a density, again, comparable to the Annex. Maybe it's not as fancy as the Annex but solid and a really good place to live; a density that can support transit. That's in the range of 150 people and jobs to a hectare.

In these new suburban developments, the target that's been set is 50 people or jobs per hectare. That's the new, denser target. I gather the average is about 30 now, so you go up to 50. That's dense enough to support bus service every 30 minutes. I don't believe that bus service every 30 minutes will get people out of their cars; frankly, bus service every 30 minutes is going to mean that everyone who can possibly afford to buy a car is going to buy one. That is what we will see in the GTA in the new development with this growth plan.

I'll give you some examples. I grew up on Hamilton Mountain around Upper Wellington and Mohawk. Bus service there is every 20 to 25 minutes. You can go up there now and you will see driveways with one and two cars in them, constant use of cars, and the bus that serves that area not full because the bus service is infrequent. My colleague here, the member from Beaches-East York, lives in Parkview Hills in East York, a very nice, residential area, developed in the 1960s or 1970s; bungalows, low density. It has rush hour service of buses every 20 to 25 minutes. If you go through that neighbourhood, it is car-dependent, because at 20- to 25-minute frequency intervals, people don't want to rely on the bus to get around if they possibly can afford a car.

So we look at this plan, this foundation that the GTTA is supposed to be built on, and I have to say very simply that it is not going to get people to lay down their keys. It is not going to get people out of their cars. It is going to ensure that the prediction of a 50% increase in travel time in the GTA by 2021 will come true: more smog, more congestion, more economic loss due to gridlock and congestion. You can't do it with 30-minute bus times; forget it.

Frankly, having sat in a municipal government, having dealt with these issues before, people cut deals. They say, "Well, 30 minutes is the target. We can't quite make the density to support 30. How about 35 in there?" I think you need to shoot high, recognize that there will be variations, fluctuations in your planning over time, and plan accordingly. That hasn't happened here. Again, this

greater Toronto transit authority is faced from the very beginning with an urban form that will not allow it to carry out its stated purpose, which is to reduce gridlock and congestion. We are going to have to deal with those costs, and we are not going to be happy to do that.

We have, in many ways, a crisis. It was interesting to hear the member for Durham talk about the issue in the GTA. When I first spoke to this issue in the House, I spoke about why this bill was before us. There's no question it is a huge political issue in the GTA around Toronto. People are fed up spending this much time in their cars. I have no doubt that's why the official opposition is going to vote for this bill, because people want to hear that something is going to happen. But in the end, it isn't going to happen. They'll get a bill, they'll get a bill with a title, they'll get a bill with a title and all kinds of promises, but they will not get their issue addressed. In fact, they should be prepared for an intensification of the problems that they face, not an intensification of the densities that are needed for sustainable transit and sustainable communities.

There is an underfunding problem with public transit. There is a problem with funding of highways before funding of transit, and that is counterproductive. The experience in Los Angeles was that they tried to deal with their congestion and their gridlock by expanding their highways, by building more and more expressways. Their experience over the decades, because they didn't put in place an intensification program, because they didn't put in place the kind of transit system you need to service intensified communities, is that they saw the average speed of cars on these expressways dropping, decade by decade. We seem to have bought into all of that. We've decided that we'll go for Los Angeles-type densities, we've decided that we'll go for Los Angeles-type solutions and, frankly, we will go for the Los Angeles experience of longer time spent on the highway.

1730

Look at some of the funding issues that transit systems have to deal with. The funding for the Toronto Transit Commission is \$180 million less per year than it was in 1995 when the NDP was in government—\$180 million less. Let's set aside questions of inflation, let's set aside questions of the age of the transit stock or the age of the roads, any increase in population—there's \$180 million less for transit in the Toronto area, and that is a concrete problem.

This week the province announced almost—what?—\$4 billion in money for new highways. That includes highways like the extension of Highway 404 to Ravenshoe. This is an extension that environmentalists and planners have pointed out will only serve to fuel further sprawl north of the greenbelt. It's not going to solve the problems we have; it's going to intensify those problems. It's going to allow a developer with a small package of land that otherwise couldn't be developed, that otherwise isn't going to be serviced, to build, to make a dollar, and that means that another group of people somewhere in the GTA are going to be spending a few more minutes,



maybe a half an hour more, on the highway, hoping that eventually traffic will clear and they'll be able to get to their destination.

We have a lot of examples of how public transit—and the movement of people out of their cars and into mass transit is something the McGuinty government has said is important, but then has failed to develop the framework that would be necessary to deliver mass transit across the GTA. If you don't do the fundamental planning work on the infrastructure of the city, then you can't move on to the whole question of transit that will work.

I want to make a note here about the concrete reality of new developments. About 20 years ago, I was in London, England, visiting some friends. They were living in a house at that time that had been built in the 1870s. In fact, the whole neighbourhood of red brick, fairly plain, Victorian housing—not fancy Victorian housing like I've seen in Toronto, but very plain housing—was well over 100 years old. When we build these suburbs, when we set the urban form, we're dealing with something that will be in place for many decades. So we are going to have to deal with the environmental but also the fuel problems that arise from a very wasteful structure.

Last week I was given a paper that was presented to the American Department of Energy on the whole question of peak oil, peak fuel supplies. There's a fair amount of controversy about the issue. It was suggested, or has been increasingly suggested in the last decade, that the world will face a point, either within the next 10 years or the next 20 years, when world production of oil will peak, and when it peaks, then it will start to decline. We're not about to run out of oil, we're not about to have to turn off the taps, but the reality is that many expect that we will see a disjuncture between world demand for oil and world availability of oil. That means price volatility, it means shortages, and for a society that has built an urban form that requires large volumes of gasoline to function, substantial social problems. Now, it's interesting to me that if you look at Wal-Mart and Costco and all these big box stores and you look at the urban form that existed in Toronto, say, around the turn of the last century, where you had small stores lining not main commercial routes but secondary commercial routes, what's happened over the century is that as people have increased their ownership of individual cars, it's possible for large stores like Wal-Mart and Costco etc., in these sprawling suburbs, to cut transportation costs. They set up a warehouse that in the past would have had to transport goods to small retail outlets. The small retail outlets increasingly fade, and what we have are the large warehouses where people pay for the transportation. They go to the warehouse, they get the goods, they bring them home. But in a situation—and I don't know if it will be this decade or in the 2020s—where you face a problem of peak oil, the cost to service that whole infrastructure will become extraordinarily high. Those in the suburbs will face rising and problematic energy costs to get around. What we're doing by building this urban form is

setting in place a form that inherently is expensive to service with transportation networks. That is a fundamental problem not just for us, but for decades, for generations of people to come after us. I think, aside from this bill, that is an issue that should weigh on the minds of this government.

I've touched on many of the reasons why New Democrats, although we think that a better coordinated central transportation system is needed—a central transportation system across the GTA—don't support this very weak, very ineffective institution that Bill 104 is going to bring into existence. As I've said at the beginning, it's not only the NDP that's concerned; the Ontario Chamber of Commerce, when asked, said no, this bill, if it's not amended, will not deal with gridlock and congestion. I asked the Toronto Board of Trade the same question: "Will the bill, unamended, deal with the problem that we're talking about?" No, they didn't see that it would deal with it. In the end, the bill was not amended. We still have, substantially, the bill that came before the House about a month ago.

So I want to talk about some of the structural issues with the GTTA, some of the structural problems with the GTTA, as presented in Bill 104. I would say that the central, key issue is the lack of information on how the GTTA is going to fund its transportation plan. That's profoundly problematic. There is no explicit provision of detail on how the province proposes to fund the GTTA's mandated transportation plan. That leaves this a shell of an institution. That's created concern with the city of Toronto—and that was clear from their deputation before the committee, from their testimony before the committee—and concern from other GTA municipalities, like Mississauga. They're concerned that a lack of funding details could negatively impact their present and future funding levels.

When I was preparing for committee discussion of this bill, I looked at the GO Transit Act. If you go to section 22 of the GO Transit Act, it reads, "The money required for the purposes of this act before April 1, 2002, shall be paid out of the consolidated revenue fund and thereafter shall be paid out of such money as is appropriated therefor by the Legislature."

1740

I asked for a similar section to be placed in this bill so that we would know that there was a statutory requirement to fund, so that not only the NDP as a party considering this legislation in the House, but the city of Toronto, the city of Mississauga—all the GTA municipalities—would know where the funds would come from. The fact that no such section exists in this bill, that it's going to be left to regulation and thus not to the consideration of this House, is of great concern.

Will this bill simply be a Trojan horse for private sector financing of transit and roads, or will it deepen the download on municipalities? There seems to be some sort of thought that if you simply coordinate the actions of the municipalities, you will be able to substantially improve transit across the GTA. Frankly, I don't see that.



All of those transit authorities face financial problems. The city of Toronto is the biggest, at about \$950 million a year. It tries to hold itself together and provide service to Toronto. Mississauga, Markham, Oshawa, Whitby and all the other municipalities have their own systems. GO Transit runs at about \$340 million a year. So we've got \$1.3 billion per year that's spent on the largest systems, but there's no commitment to operating funds. I've heard the parliamentary assistant to the minister refer to proposals of capital funds, and although capital funds are welcome, they are not adequate to deal with the transit problems faced by Toronto or the other municipalities. As I said a while ago, the amount of funds made available to the city of Toronto's transit system, the TTC, is \$180 million less now than it was in 1995. That problem cannot be solved by a smart card division, it can't be solved by a planning division, and it can't be solved by GO Transit operating well. It can only be solved by putting money in, and that's the key problem here.

Obviously, when the bill was under discussion, there was concern by the city of Toronto that it might have to deal with costs being downloaded to them. They're already funding many, many services out of their property tax base—services that used to be covered by provincial funds, that used to be covered by provincial money. Now it's put on the property tax base. They don't want yet another round of downloading put on their shoulders. They are skeptical.

The city of Mississauga suggested that in fact what was needed were development charges levied across the region to help pay for this; what was needed was a whole allocation of funds from provincial revenues to actually ensure that this system ran well. We didn't get that in the amendments. What we got in the amendments was essentially a variety of small tinkering, a variety of small touches around the edges on this bill, but nothing dealing with the fundamental issue of making sure that the funds were there so that you had healthy, well-funded transit systems that in fact could be integrated, that were big enough that an integration might add to the value that passengers would reap from being part of them.

I moved an amendment in committee to put in that funding, to put in a mechanism for funding. That was rejected. Again, I think a rejection of that funding section will mean simply the development of plans that will sit on shelves.

When you look at transit systems in other countries and in other cities—New York, London, Paris, Amsterdam, even Los Angeles—you see a substantial influx of funds from senior levels of government, because that's what's required to make the system run properly. It was interesting to me—I've been in Amsterdam on business. I've been in the downtown at rush hour in winter and in summer. In their downtown, things move fast. You don't get the sort of total clog up that you get here on Yonge or Bay at 5 o'clock or 5:30. You've got buses, streetcars, cars, bicycles, all moving rapidly through the downtown because the frequency of transit is high enough that people see it as a practical way to get around their city.

That's possible when dollars are put in. When you don't put in the dollars, when you don't have an urban form that allows for very rapid, very frequent transit, then frankly what you get is people going to their cars. Again, that's where this bill leads us. It leads us simply to business as usual and a greater, higher level of congestion.

Many people have recognized this. It isn't just the NDP that has said, "Hey, we need to have an adequate level of resources for this kind of activity. We need to have an infusion of cash so that transit will function well, so that we can deal with congestion."

During the 2003 election campaign, Dalton McGuinty's election platform stated, "The new GTTA will be given the clout and resources to tackle gridlock and ensure free movement of people and goods in a rapidly growing region." That's from *Growing Strong Communities*, 2003, page 21. But that didn't materialize. We didn't see any of that in this bill. What we saw in this bill was nothing. It's almost a *Seinfeld* bill, a bill about nothing. At least it has smart cards. You can say that's something. But in terms of dealing with the problem that we have, this is not going to move us to where we have to go.

Now, there are environmental implications to this bill—environmental implications to failing to actually come to grips with the problem that's before us. One of the things that this authority could do, if it was properly constituted and resourced, would be to deal with the whole question of greenhouse gas emissions. Both the government and I introduced amendments to Bill 104 that were aimed at the cause, the purpose of reducing greenhouse gases and smog-causing pollutants in the GTA. The government amendment was interesting. It stated that the GTTA's transportation plan "must work toward reductions in greenhouse gas emissions and the reduction of smog-causing pollutants."

*Interjections.*

**The Deputy Speaker:** Order. No, go ahead, sir. I'm just trying to—

**Interjection:** Way to go, Speaker.

**Mr. Tabuns:** I'm happy to have you call order, Mr. Speaker.

**Hon. Jim Watson (Minister of Health Promotion):** That woke us up.

**Mr. Tabuns:** The level of cruelty at times is boundless, Mr. Speaker.

*Interjections.*

**Mr. Tabuns:** Yes. So, Mr. Speaker, thank you.

**The Deputy Speaker:** I'm calling order. I didn't mean to interrupt you. I'm anxious to hear what you have to say. The member from Toronto—Danforth.

**Mr. Tabuns:** The government's amendment talked about working toward reductions in greenhouse gas emissions, and my amendment stated that the plan "must" reduce greenhouse gases and smog-causing pollutants.

Frankly, now is not the time for a faint heart. Now is not the time for motions that give the appearance of action. Now is the time for amendments that actually will give this bill and whatever authority comes out of it the



direction to actually reduce greenhouse gas emissions. We all recognize that we face profound problems in Ontario, in Canada, globally, with climate change, with global warming. Frankly, the fact that this government was willing to put forward a very weak position, a soft position, is not one that's defensible.

I had an opportunity a number of years ago to be at the Earth Summit in Johannesburg and, at that time, listened to the Canadian representatives speak. I had an opportunity to have the Canadian representatives come to a meeting of NGOs to talk about how exactly Canada was approaching the Earth Summit and the problems before us. Something that came up time and again was, those of us in the environmental movement and the social justice movement and the fair trade movement would say, "You have to have targets and timelines. You have to have something firm so that we can measure progress against your actual statement." And I have to tell you that the lead negotiator, the head of the Canadian team, was very straightforward. He said, "We're against targets and timelines. We don't like it. We want that sort of stuff set aside. We're talking about setting general direction." In other words, we had an opportunity there to actually do things that were concrete, and yet we would not do that. And frankly, that's what we have here: language that softens, language that undermines, language that talks about "working towards" instead of direction. If you have a plan, it has to result in a reduction of greenhouse gas emissions and smog emissions. That has got to be a fundamental part of what you do.

1750

That was defeated by the government in committee. It should not be an afterthought. Reduction in greenhouse gas emissions and smog emissions from transportation should not be an afterthought, should not be something that's simply worked towards, but should be a requirement of plans that are brought forward by any transit authority in this area.

The McGuinty government says they support the Kyoto accord. With the breaking of the coal promise, one has to ask, "Really, is there anything left to this? What shreds of commitment are left?" We don't know if these coal plants will ever be shut down. I've asked the Minister of the Environment, does she have a Kyoto plan? She's never produced one—talks about investment in transit, talks about shutting down the coal plants. Well, that was last week; I doubt I'd get a similar answer this week. But when a government has an act in its hands where it can give authority, and not just authority but direction, to a body to deal with a profound social, political and environmental problem, it drops the ball; it forgets about it. And that, I think, is a fundamental failure of this government with regard to this bill and a fundamental failure of this bill itself.

It was interesting to me working on the Kyoto issue in Ottawa. I haven't dealt with the Conservatives on this issue; I had to deal with the Liberals on this issue. Again, their whole approach to climate change was to put forward soft programs like the One-Tonne Challenge that

looked good in literature, looked good on television, but in fact didn't deliver the goods.

That's what this greater Toronto transit authority legislation is about. This is about looking good, having something to put on a flyer, because I have no doubt that in the next election in every municipality in the GTA outside of Toronto itself, where I don't think this is as much of a draw, this authority will be alluded to, but in fact, concrete results will not be there. I would say, if this legislation is put in place, you probably won't even have a plan on the ground; you won't have a plan to present to people by the time of the next election, which is great, because it allows everyone to ascribe to this authority what they would like to ascribe to it. They won't have to worry, because, frankly, the votes will be in before the plan is actually produced.

One of the things I proposed was that whatever plan comes forward should have modelling showing how many trips that plan would reduce. So if you're putting in the smart card, how many car trips will that actually cut down? I have serious questions as to whether or not a lot of measures would reduce the number of car trips. Putting things in those terms would allow one to determine what was worth investing in and not worth investing in. That was an amendment that was set aside by the government. I think that doesn't make sense, because, again, it takes away the ability of politicians, and thus it takes away the ability of voters, to judge whether or not actions were taken that were consistent with the promises that were made. I think that's a fundamental issue, because when the people can't measure the actions, when they can't look at the modelling and the promises, they can't know whether or not they were sold a bill of goods. They can't hold people accountable.

I know that this can be complex, but in fact modelling has been done on a lot of things. When there was a proposal to provide a tax credit for the purchase of transit passes, some fairly sophisticated modelling was done to show what the impact would be on the number of passes actually acquired, the number of car trips reduced, and thus the amount of greenhouse gas emissions that would be avoided. That sort of modelling is doable and, frankly, with regard to this legislation, should be done for every plan that's brought forward so that we don't just get a statement of good intentions.

This growth plan that was proposed—

*Interjections.*

**The Deputy Speaker:** When I can hear the members' conversations over that of the member who has the floor, I think it's getting a little loud. I'd ask for your co-operation. Conversations can be taken outside.

Member for Toronto—Danforth, you have the floor.

**Mr. Tabuns:** Thank you, Mr. Speaker.

This bill presented this government with a lot of opportunities, and those opportunities were missed. This bill presented this government with an opportunity to put in place a rational planning system for transit in the greater Toronto area. This bill could have put in place a planning system that costed the different transit options.



Frankly, it could have costed the different highway investment options, and given politicians and voters a better sense of what could and could not be done to make transportation work in the GTA.

This bill will not have the impact that the greater Vancouver regional transit authority has. It won't give us that. That transit system, imperfect as it is—the reality is, gridlock and congestion are still present in Vancouver, and I would say for many of the same reasons that we have a problem here in Toronto: too much sprawl, densities that are too low. But at least there's a regional transit system that makes some substantial investments in regional transit systems. That isn't what's before us, not even faintly what's before us.

When you read the legislation, what you have essentially is an authority that will try to cajole, try to coordinate the different transit bodies to work together. You will have a body that will not have the money to provide inducements for co-operation. You will have a body that is going to spend a lot of time figuring out who pays for the smart card system and who benefits from the smart card system. I would say that this body is not going to do much more than ensure that a smart card process is put in place for a debate that will probably happen in the 2008-09 years.

That's unfortunate, because I do see a need for that coordination, let's say between Mississauga Transit and the TTC. There's no question that if we could expedite the transit experience for those going from Hamilton to Oshawa, that would be a useful thing. But without those resources, without the authority and, frankly, without the urban forum to have as a foundation for really making this happen, this board, this body, will become an interested talking shop, one that ultimately will not produce the results that anyone is hoping for and is expecting.

I would hope that the government, in looking at this bill afterwards, will at least try to do something useful in

regulation. I don't like the idea that it's all left to regulation because, as I've said in other speeches and will say in this one, you don't know what the next government will be. No one can predict that they will win an election, that their policies will be carried forward. Regulations, as you well know, Mr. Speaker, are something quite mutable, something that can be changed by the government of the day. Legislation at least gives one an opportunity to have public debate. But in setting so much out of legislation and leaving it to regulation, this government may well, assuming this body continues on and does not simply collapse like the GTSB, find itself dealing with a less friendly government in relation to this issue in the years to come.

I would say that they have to go back. I would say that there's an opportunity, first of all, with the growth plan for this government to step back and say, "We need to deal with growth in a way that will allow us to have a transit system that's functional." There perhaps is the area where they need to be spending time. We've had a growth plan introduced; it can be amended. We don't have to have ridiculous density standards or targets that in fact will only sustain transit at 30-minute intervals, which, as any practical person will say, will not encourage people to leave their cars. It doesn't work; it won't work. Any teenager who can afford to pull together the money to get a car so they don't have to wait 30 minutes for a bus is going to do that as soon as they possibly can. What we have before us, between the growth plan and the focus of funding on expressways, is a plan that is not going to take us where we need to go.

**The Deputy Speaker:** It being 6 of the clock, a time that I know the member for Ottawa—Orléans, Mr. McNeely, would like to go and celebrate his birthday, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1801.*

*Evening meeting reported in volume B.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldeep (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)		
Northumberland	Rinaldi, Lou (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oak Ridges	Klees, Frank (PC)		
Oakville	Flynn, Kevin Daniel (L)	Thornhill	Racco, Mario G. (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	North / Thunder Bay–Superior- Nord	
		Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa–Orléans	McNeely, Phil (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto–Danforth	Tabuns, Peter (ND)
Oxford	Hardeman, Ernie (PC)	Trinity–Spadina	Marchese, Rosario (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Perth–Middlesex	Wilkinson, John (L)		
Peterborough	Leal, Jeff (L)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)		Elliott, Christine (PC)
Prince Edward–Hastings	Parsons, Ernie (L)	Whitby–Ajax	Zimmer, David (L)
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Willowdale	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline</b> (L) Minister of Culture / ministre de la Culture	Windsor West / Windsor-Ouest	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy / ministre de l'Énergie
Sault Ste. Marie	Oraziatti, David (L)		
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	York North / York-Nord	Munro, Julia (PC)
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Minister of Government Services / ministre des Services gouvernementaux	York West / York-Ouest	Sergio, Mario (L)
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)	Parkdale–High Park	Vacant
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

**Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziotti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craiton, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

**Social Policy / Politique sociale**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

**Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

**Lundi 19 juin 2006**

### **PREMIÈRE LECTURE**

<b>Loi de 2006 sur le Jour de commémoration des agents de la paix et le monument commémoratif à leur mémoire, projet de loi 131, <i>M. Levac</i></b>	
Adoptée.....	4722

### **DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

<b>Éducation en français</b>	
M <sup>me</sup> Pupatello .....	4725
M. Klees .....	4726
M. Marchese.....	4726

### **TROISIÈME LECTURE**

<b>Loi de 2006 sur un régime de médicaments transparent pour les patients, projet de loi 102, <i>M. Smitherman</i></b>	
Adoptée.....	4727
<b>Loi de 2006 sur la Régie des transports du grand Toronto, projet de loi 104, <i>M<sup>me</sup> Cansfield</i></b>	
Débat présumé ajourné.....	4755

# CONTENTS

Monday 19 June 2006

## MEMBERS' STATEMENTS

### Pride Week

Mrs. Elliott.....	4719
Ms. Wynne.....	4721

### Dorothy Doan

Mrs. Van Bommel .....	4719
-----------------------	------

### Village of Newcastle

Mr. O'Toole.....	4719
------------------	------

### Logan Earhart

Mr. Duguid .....	4720
------------------	------

### Health care

Mr. Arnott.....	4720
-----------------	------

### Organ donation

Mr. Kormos .....	4720
------------------	------

### Volunteers

Mr. Wong.....	4720
---------------	------

### Growth planning

Mr. Levac.....	4721
----------------	------

## FIRST READINGS

### Peace Officers' Memorial Day and Memorial Act, 2006,

Bill 131, <i>Mr. Levac</i>	
Agreed to .....	4722
Mr. Levac.....	4722

## MOTIONS

### Consideration of Bill Pr28

Mr. Bradley.....	4722
Agreed to .....	4722

### House sittings

Mr. Bradley.....	4722
Agreed to .....	4722

## STATEMENTS BY THE MINISTRY AND RESPONSES

### Transportation infrastructure

Mrs. Cansfield .....	4722
Mr. O'Toole.....	4725
Mr. Tabuns.....	4726

### Growth planning

Mr. Caplan.....	4724
Mr. Runciman .....	4725
Mr. Tabuns.....	4726

### French-language education

Ms. Pupatello.....	4725
Mr. Klees.....	4726
Mr. Marchese.....	4726

## ORAL QUESTIONS

### Native land dispute

Mr. Runciman .....	4727, 4728
Mrs. Dombrowsky.....	4727, 4728
	4731, 4733
Mr. Barrett.....	4731, 4733

### Environmental assessment

Mr. Hampton.....	4729, 4730, 4735
Mrs. Dombrowsky.....	4729, 4730
	4735

### Energy conservation

Mr. Tabuns.....	4731
Mr. Duncan .....	4731

### Transportation infrastructure

Mr. Oraziotti.....	4732
Mrs. Cansfield.....	4732

### Employment

Mr. Prue .....	4733
Mr. Sorbara .....	4733

### Growth planning

Ms. Marsales .....	4734
Mr. Caplan .....	4734

### Air quality

Ms. Scott .....	4734
Mrs. Dombrowsky.....	4735

### Smoke-free Ontario

Mr. Racco.....	4736
Mr. Watson.....	4736

### Road safety

Mr. Klees.....	4736
Mrs. Dombrowsky.....	4737

## PETITIONS

### Ontario joint replacement registry

Mr. Murdoch .....	4737
-------------------	------

### Child protection

Ms. Horwath.....	4737
------------------	------

### Home care

Mr. Ruprecht.....	4737
-------------------	------

### Services for the developmentally disabled

Mrs. Munro .....	4738
Mr. O'Toole .....	4739

### Highway noise barriers

Mr. Brownell.....	4738
-------------------	------

### Speech and language services

Ms. Scott .....	4738
-----------------	------

### Social assistance

Ms. Horwath.....	4738
------------------	------

### Employment supports

Mr. Ruprecht.....	4739
-------------------	------

## Trade development

Mr. Delaney .....	4739
-------------------	------

## School closures

Mr. Barrett .....	4739
-------------------	------

## THIRD READINGS

### Transparent Drug System for Patients Act, 2006, Bill 102, *Mr. Smitherman*

Agreed to .....	4727
-----------------	------

### Greater Toronto Transportation Authority Act, 2006, Bill 104,

<i>Mrs. Cansfield</i>	
Mrs. Cansfield .....	4740
Mr. McNeely .....	4741, 4743
Mr. Miller .....	4742, 4748
Mr. Tabuns.....	4742, 4747, 4749
Ms. Marsales.....	4743
Mr. Sterling.....	4743
Mr. O'Toole.....	4743, 4748
Mr. Jackson.....	4745
Mrs. Elliott.....	4746
Mr. Delaney .....	4747
Mr. Kormos .....	4748
Debate deemed adjourned.....	4755

## OTHER BUSINESS

### Visitors

Mr. Barrett .....	4721
The Speaker .....	4721
Mrs. Elliott.....	4725
Mr. Peterson.....	4727

### Minister's comments

Mr. Murdoch.....	4740
The Deputy Speaker .....	4740

Continued overleaf





No. 92B

N° 92B

ISSN 1180-2987

# Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

# Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Monday 19 June 2006

Lundi 19 juin 2006

Speaker  
Honourable Michael A. Brown

Clerk  
Claude L. DesRosiers

Président  
L'honorable Michael A. Brown

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 19 June 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 19 juin 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### PROVINCIAL PARKS AND CONSERVATION RESERVES ACT, 2006

### LOI DE 2006 SUR LES PARCS PROVINCIAUX ET LES RÉSERVES DE CONSERVATION

Ms. Di Cocco, on behalf of Mr. Ramsay, moved third reading of the following bill:

Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2006, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts / *Projet de loi 11, Loi édictant la Loi de 2006 sur les parcs provinciaux et les réserves de conservation, abrogeant la Loi sur les parcs provinciaux et la Loi sur la protection des régions sauvages et apportant des modifications complémentaires à d'autres lois.*

**The Acting Speaker (Mr. Michael Prue):** The Minister of Culture.

**Hon. Caroline Di Cocco (Minister of Culture):** I'll be sharing my time with the member from Sault. Ste. Marie.

**The Acting Speaker:** When you say you're sharing your time, is he taking all of the time?

**Hon. Ms. Di Cocco:** Yes.

**The Acting Speaker:** Okay. The member for Sault Ste. Marie.

**Interjection:** She's very generous.

**Mr. David Orazietti (Sault Ste. Marie):** The minister is very generous; she's going to be sharing most of her time with me.

It's my great pleasure to rise today and address the House on behalf of the Minister of Natural Resources in regard to third reading of Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2006, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts.

I want to start by discussing the value of parks and our protected areas in the province. Since the first provincial park was created in 1893, Ontario has developed an outstanding system of parks and protected areas that extends to every part of the province. Ontarians are highly proud their parks and protected areas. They know

that our province-wide system of protected areas provides us with important benefits: It protects significant elements of natural and cultural landscapes of Ontario; it provides us with opportunities for outdoor recreation, ranging from high-intensity day use to low-intensity wilderness experiences; it makes it possible for us to explore and appreciate the outdoor nature and cultural heritage Ontario has to offer; and it provides Ontario residents and out-of-province visitors with opportunities to discover and experience the distinctive regions of the province.

Also highlighted in this bill is an important aspect of protecting Ontario's natural heritage and biodiversity. Bill 11 is part of our government's commitment to build a greener Ontario for today and for the future. This bill is just one of the steps this government has taken to increase protection for Ontario's natural heritage and biodiversity, and to conserve Ontario's parks and protected areas, green space, environmental lands, agricultural lands, and recreation and resource lands, to ensure that our communities are strong and healthy for generations to come.

## 1850

An important step forward in natural heritage protection was the launch last year of Ontario's first biodiversity strategy. It recommends a wide range of actions to conserve our natural heritage by protecting the province's plants and wildlife and the habitats that support them, and to ensure that the province's natural resources are used sustainably for the benefit of all Ontarians. The new protected areas legislation is one action recommended by the biodiversity strategy, and our government has also acted on many more of the strategy's recommendations as well as taking additional steps to protect Ontario's natural heritage.

We have undertaken a public review to update and strengthen provincial species-at-risk legislation. We have protected more than 728,000 hectares, or 1.8 million acres, of green space in the greenbelt, providing safe habitat for 66 species at risk. We have strengthened the provincial policy statement by setting clear ground rules for how Ontario communities will grow and prosper. We have developed the greater Golden Horseshoe growth plan, which was released last week, and the proposed central Pickering development plan as well. We have also increased source water protection to ensure safe drinking water and a cleaner natural environment. Last December, Premier McGuinty signed an historic agreement with the province of Quebec and eight Great Lakes states that will

strengthen protection of the waters of the Great Lakes-St. Lawrence River basin.

The government has expanded partnerships with environmental organizations to increase protection of environmentally sensitive lands. As part of our natural spaces program, we have provided new incentives for private landowners to protect and restore significant natural heritage features on their land. We have also strengthened and clarified legislation permitting the use of conservation easements to protect environmentally sensitive land and agricultural land. We have also developed a strategy for wolf conservation in Ontario to ensure the long-term sustainability of the species. And we are expanding the province's clean, renewable energy capacity through sustainable development of wind and water power potential.

All these initiatives are vital steps toward a healthy environment and a great quality of life for Ontarians now and in the future. They are part of a broad and necessary plan to protect the province's biological diversity while ensuring that our citizens benefit from Ontario's biological assets.

I'll just highlight a few of the key aspects of why we need to protect these areas of the province. Ontario's parks and protected areas play an important role in protecting this province's natural heritage as well as the biodiversity of our province. For Ontarians to enjoy all the benefits of our system of protected areas and to have places to enjoy the outdoors and experience nature, these lands must remain protected now and in the future. This means our protected areas legislation must be up to date and effective. The last time we reviewed the province's protected areas legislation was more than 50 years ago, in 1954. At that time, there were eight provincial parks; today there are 319 provincial parks, 280 conservation reserves and 10 wilderness areas. Meanwhile, our society has come to appreciate how important protected areas are to health, vitality and the economic prosperity of Ontario. As a result, the public's expectations about protected areas and how they should be managed have changed.

We also know much more about conservation science, including what we should be protecting and how we should go about protecting it. With the growth of Ontario's population, the pressures on our protected areas have increased and development may begin to affect them. Today, Ontario's provincial parks host more than 10 million visits annually. The parks also contribute more than \$380 million to Ontario's economy.

These changes in our system of protected areas and in our society have made it necessary to take a fresh look at Ontario's legislation governing parks and protected areas. That is why, in our first speech from the throne, our government committed to introducing legislation that would ensure that Ontario's treasured parks and protected areas are protected in perpetuity.

It's also important that we review the areas of legislation that are being changed. Before introducing new parks and protected areas legislation, we invited the public and stakeholders to provide us with input on how

the legislation should be changed in light of the many changes that have taken place since our first park was created. To launch the review, we outlined eight legislative proposals for public comment. The proposals addressed the areas that needed to be revised and brought up to date. They included the principles that should guide the management of protected areas; the goals and objectives to be included in the legislation; the classification and zoning of parks; the assessment of wilderness areas; making management direction for all parks mandatory and requiring regular reports on the state of the protected areas; the rules on major industrial uses in relation to our parks; the premise that we should continue to address non-industrial uses in policy; and, finally, the proposed rules regarding administration and enforcement.

To encourage public input on these proposals, we provided many opportunities to comment: through nine open houses across the province; mailings to stakeholders; First Nations and aboriginal organizations were consulted; and postings on the Environmental Registry and Ontario Parks websites were also offered. We received more than 1,500 completed online surveys, more than 1,100 letters and faxes, and more than 140 written submission from aboriginal organizations, provincial stakeholders and other interested groups and individuals.

I know the minister is grateful to everyone who has shared ideas and recommendations with us. We gave serious consideration to all the input we received. The fact that 75% of the comments we received as part of the survey supported our proposals confirmed that we were on the right track.

The minister also wanted to hear from the board of directors of Ontario Parks. At his request, they examined the legislative proposals, met with stakeholders, reviewed all the comments we received and provided him with advice. Their assistance has been invaluable. I'm also pleased to say that the thoroughness of the review process is reflected in the bill being considered today. Bill 11 responds to Ontario's need for up-to-date legislation. It would ensure that our parks and conservation reserves are permanently protected.

In developing new legislation for Ontario's parks and protected areas, we considered carefully what should be enshrined in legislation and what should be determined by policy and regulation. The existing legislation for protected areas provides minimal direction about how provincial parks and conservation reserves should be protected. As a result, detailed policies and regulations have been developed for provincial parks over the last century. These policies and regulations include park classes, objectives for each class of parks, and direction regarding what uses are permitted and in what circumstances.

There are also policies for conservation reserves. These are not as detailed as those provided for provincial parks, because conservation reserves were established just over a decade ago. No policies or regulations have been developed for wilderness parks.

The policies and regulations that have been developed provide a framework for planning and managing pro-



tected areas. In drafting Bill 11, we wanted to include in the legislation the policy direction that has broad application and is most important for ensuring the protection of provincial parks and conservation reserves. This will ensure that only the Legislature can change the fundamental principles guiding the management of parks areas.

For example, as I have said, protecting Ontario's provincial parks and conservation reserves is a vital part of this government's efforts to increase protection for Ontario's natural heritage and biodiversity. That is why one of the most important features of Bill 11 is that it would make maintaining ecological integrity the first priority when planning and managing parks and recreation reserves. In other words, we would ensure that all the many elements that make up healthy ecosystems are maintained for future generations.

Because maintaining ecological integrity is a fundamental principle of planning and managing provincial parks and conservation reserves, we made sure it would be part of Bill 11. However, we concluded that so-called permitted uses, which are activities that may or may not be appropriate in protected areas, depending on the circumstances, should not be addressed in Bill 11. Examples of permitted uses are camping, use of motorboats and all-terrain vehicles, commercial fur harvest and commercial bait fishing.

We decided that permitted uses would continue to be addressed not by legislation but by policies which provide an appropriate level of flexibility and can be applied with some discretion through the planning process.

As is the case with the current legislation, Bill 11 would not apply outside the boundaries of cabinet regulation in protected areas. We believe the result is an effective piece of legislation that focuses on the broad and important principles for managing Ontario's protected areas, such as ecological integrity, which allows flexibility where it's needed.

In developing Bill 11, we also believed it was important to have one piece of legislation for provincial parks and conservation areas. A single piece of legislation for both types of protected areas signals that they are equal partners with some important differences. I'd like to take a moment to touch on those differences.

Both these types of protected areas can serve Ontario's natural heritage while allowing compatible uses such as outdoor recreation. However, right now provincial parks are governed by the Provincial Parks Act. Conservation reserves, which did not exist when the Provincial Parks Act was originally passed, come under regulation of the Public Lands Act, and wilderness areas come under the Wilderness Areas Act of 1959. Like provincial parks, conservation reserves prohibit commercial logging, mining, hydroelectric power development and other industrial uses, but they generally have fewer restrictions on recreational and commercial uses such as fur harvesting and bait fishing. In addition, conservation reserves generally have no staff on site, have no facilities or services, and do not charge fees, while 110 of our

provincial parks are operated to provide facilities and services such as campgrounds, and charge the public fees for their use.

#### 1900

As I mentioned earlier, provincial parks are managed according to the detailed policies found in the document Provincial Parks Planning and Management Policies, which sets on a wide variety of policies and regulations, but the provincial policy for conservation reserves sets only a limited number of policy directions for managing conservation reserves. Conservation reserves currently do not employ a classification system or zoning such as those used in provincial parks.

The existing legislation for provincial parks, conservation reserves and wilderness areas is out of date and does not provide the level of protection that Ontarians expect for these special natural areas. Consolidating in one act for the first time the legislative direction for all provincial protected areas would enhance transparency and ensure that the areas receive a consistently high level of protection.

While the conservation reserves and provincial parks would be governed by one act, the key differences between these types of protected areas would be maintained. For example, hunting would be allowed in conservation reserves. As part of the government's plan to strengthen protection of our protected areas, we also propose to implement a recommendation made by the Ontario Parks board of directors. We would assess Ontario's 10 wilderness class areas, which total 800 hectares. After consultation, we would determine if the areas should become provincial parks or conservation reserves or be returned to crown land status. When that process is completed, the Wilderness Areas Act will be repealed. In the end, Ontario would have a single piece of legislation that establishes the broad principles governing all of Ontario's protected areas, while leaving room for policies appropriate to local conditions. This up-to-date legislation would ensure that our parks and conservation reserves are permanently protected.

I'd now like to briefly discuss the more detailed aspects of the proposed Provincial Parks and Conservation Reserves Act and then address some of the amendments to Bill 11 that were endorsed by the standing committee on the Legislative Assembly.

I mentioned earlier that one of the most important features of Bill 11 is that it would maintain ecological integrity, which is the first priority. Protecting these special places by maintaining ecological integrity supports the goals and objectives of Ontario's biodiversity. It also complements our natural spaces program, the Greenbelt Act and the government's focus on a healthier environment for the people of Ontario.

We not only want to maintain ecological integrity in Ontario's protected areas, we also want people to be able to learn how well we're doing in achieving that goal. That's why we've included another important advance in Bill 11; namely, proposing greater accountability and transparency in the legislation. The new act would re-



quire the minister to report to the public every five years about the health of our protected areas system. The reports would inform people about the maintenance of ecological integrity in our protected areas and the achievement of ecological representation, as well as the socioeconomic benefits derived from them.

As is the case now under Bill 11, provincial parks and conservation reserve boundaries would be established by cabinet regulation; however, the proposed legislation would make it more difficult to eliminate protected areas or reduce them in size. Ontarians want to be sure that protected areas continue to be protected for future generations. We're therefore proposing that the Legislature would have to approve any specific deletion from a provincial park or conservation reserve, or the elimination of an entire area. To provide administrative flexibility, there would be some exceptions that would not need the approval of the Legislature. Our original proposal was that cabinet could delete up to 2% or 100 acres, whichever is less, from a provincial park or conservation reserve. Cabinet could also proceed without the Legislature's approval if all or part of the protected area were to be deregulated to fulfill a treaty settlement, to become part of a national park or for the exchange of land that would enhance protection.

As I said earlier, when we were drafting Bill 11 we wanted to include in the legislation the policy directions that have broad application and are most important for ensuring protection of provincial parks and conservation reserves. By including these broad principles in Bill 11, we will ensure that only the Legislature can change the fundamental principles guiding management of protected areas.

Under the proposed act, provincial parks and conservation reserves would be dedicated to the people of Ontario for their inspiration, education, health, recreational enjoyment and benefit. At the same time, the intention of the legislation would be to maintain the ecological integrity of parks and conservation reserves and leave it unimpaired for future generations.

The objectives for the parks would be as follows: to permanently protect representative ecosystems, biodiversity and provincially significant elements of Ontario's natural and cultural heritage; to manage these areas to ensure the ecological integrity is maintained; to provide opportunities for ecological sustainability, outdoor recreation opportunities; and to encourage associated economic benefits.

To help ensure that we achieve the objectives for protected areas that are set out in Bill 11, the new legislation would include important new requirements about planning for protected areas. Another critical feature of the new act that will also help ensure that we achieve the objectives for protected areas in Bill 11 spells out that our provincial parks and conservation reserves would be dedicated for public use; in other words, they would be available for the benefit of the public, not reserved for private use.

Bill 11 would prohibit industrial uses such as mining, logging, aggregate extraction and electric power gener-

ation in our parks and protected areas, and this is fundamental to permanent protection of our parks.

We believe that these provisions will ensure protection for parks and conservation reserves well into the future, while carefully planning for some appropriate exceptions to the general ban on industrial uses.

I have discussed the main elements of Bill 11, the proposed Provincial Parks and Conservation Reserves Act, and now I'd like to address proposed amendments to Bill 11. I discussed a range of amendments when the standing committee on the Legislative Assembly heard deputations on the bill and undertook clause-by-clause review. Of the amendments that were presented, I have to say that many of them were adopted by the government. I think that both opposition parties recognize that and may wish to make comments to that effect. I think the hearings were very beneficial and added a great deal of input to the process.

In conclusion, Bill 11, the proposed Provincial Parks and Conservation Reserves Act, would help guide the course for our protected areas through the 21st century. The act, if passed, would help strengthen the permanent protection of Ontario's provincial parks and conservation reserves. It would make ecological integrity the first priority.

I am pleased to say that there is strong public support for Bill 11. Bill 11 would ensure that Ontarians in every part of the province can continue to have pride in our outstanding system of parks and protected areas.

Finally, Bill 11 would deliver on our promise of legislation that would ensure our precious parks and conservation reserves are protected for today and tomorrow.

**The Acting Speaker:** Questions and comments? Seeing none, further debate?

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate this evening on Bill 11. We are just starting the third reading debate on Bill 11. To explain the process to this point, it has been through second reading, and then it was at committee, where a number of groups made their feelings about the bill known. Then there have been amendments that have been put forward, and a number of government amendments were made to the bill as well.

I would like to begin by saying that since the committee process, probably the one group I've heard from more than any other particular group has been cyclists, who have been concerned about how Bill 11 might impact cycling in parks. So I would like to take this opportunity both to read the concerns of cyclists into the record and also note the effect this bill would have for opportunities for cycling in the parks.

I did receive an e-mail—I received several e-mails, but this one is a relatively good example so I will get it into the record.

"I recently heard of a new bill that has been amended in such a way that it will effectively ban bicycles from Ontario provincial parks until such time as the Minister of Natural Resources passes regulations permitting existing cycling activities to continue. The amendment



changes the word 'non-motorized' in the existing legislation that allows park visitors to 'travel primarily by non-motorized means' to the word 'non-mechanized.' Bicycles, though unmotorized and muscle-powered, are nonetheless mechanical. The bill is now slated for third reading.

1910

"I heard about this through the Bicycle Trade Association of Canada. As an avid mountain biker I feel this is unfair because in numerous studies it has been proven that cycling has no more environmental impact than hiking. Cycling is also a healthy activity, something Ontario should be all for.

"Although this bill doesn't really affect me because I don't often ride in provincial parks, it sets a precedent that could be damaging to cycling and the industry in general. I hope you will consider this when it comes time to vote...."

I'm pleased to say that the bill doesn't limit cycling opportunities. In fact, the government, I think, did a press release after this to clarify that their amendments, although not necessarily the most logical way to go about it—they passed one amendment that limits travel in wilderness class parks to travel by non-mechanized means except as may be permitted by regulation. Then they passed another amendment that sets out the regulations that can be the exceptions, so that effectively means the status quo is the situation for cyclists, so they can cycle in parks—pretty much all parks—and, by exception, in the wilderness class parks.

I might point out for the general public that it's a little confusing because there are six classes of parks and conversation reserves. There are only eight wilderness class parks in the province. They are Killarney, Lady Evelyn-Smoothwater—which I had the pleasure of paddling through last summer—Quetico, Wabakimi, Woodland Caribou, Kesagami, Opasquia and Polar Bear. I note that since that press release by the Bicycle Trade Association where they recognized that cycling will be allowed to occur in most parks and by exception in a couple of wilderness-class parks where there has previously been cycling—I see the government members nodding their heads, so I'm sure that means they're going to honour that. I think that makes sense. I think we all want to encourage use of the parks—it doesn't hurt them—and we want to encourage healthy lifestyles. I'm pleased to see that.

The only thing I'll say about that is it means that because you can't use a mechanized means of travel in wilderness class parks, you're treating the disabled community as an exception. They have to have a special exception to be able to use a wheelchair in a wilderness class park. It seems a little bit of a strange way of addressing that community. I'm sure they wouldn't necessarily like to be treated as the exception, but more as the rule.

I will point out that the PC Party brought a number of amendments forward. The government accepted a mere one of those amendments, and that was to do with

aboriginal treaty rights: "Nothing in this act shall be construed so as to abrogate or derogate from the protection provided for existing aboriginal and treaty rights." Certainly, we heard from many First Nations raising that concern.

We did bring a number of other amendments forward that the government voted down in all cases, including an amendment suggested by the Ontario Federation of Anglers and Hunters, to do with ecologically sustainable recreation—although I think the government has addressed that with a different amendment. But there were some other amendments that they did not agree to, both put forward by the fur managers, and also to do with economic opportunities for First Nations.

In the short time I have available, I would also like to talk a bit about some of the other things going on in the Ministry of Natural Resources, because I believe we have reason to be concerned about what's happening with the ministry. Let's see; where shall I start? The general funding levels for the Ministry of Natural Resources, which certainly relate to this bill—whether the MNR will be able to afford to do the planning that's going to be required in this bill. As has been pointed out by the Ontario Federation of Anglers and Hunters, by their estimates—and they made a submission to the pre-budget consultations back in the winter—the fish and wildlife area program of the Ministry of Natural Resources is being underfunded by some \$25 million.

What is the Ministry of Natural Resources doing? Well, they're doing things to try to save money, whether it be cutting back on funding of park wardens and those who look after our provincial parks by some 18%, which was the news release done by OPSEU. The minister, when I asked him a question about that, says it's 9%. Regardless, we're still cutting back on the manpower needed to run the parks.

They're switching to zone fishing licence areas. In other words, instead of having lake-specific fishing rules, they are going to be huge zones, so fewer areas. The logic is supposed to be that they're simplifying things, but I would say it's a big step backwards. I've certainly seen lots of articles, and I may, if I have time, read some of them into the record.

I'll use an example of a situation in the area where I live, where I'm familiar with how on-the-ground, specific control of fishing regulations works. For example, in the Lake Muskoka, Muskoka River and Bracebridge area, 20 years ago there wasn't much pickerel walleye fishing. The Ministry of Natural Resources, with the assistance of local clubs, determined that controlled water levels and the depth of the walleye spawning beds were the reason why the walleye were not having success in building numbers. So they lowered the spawning beds and they also changed the rules to do with the management of the hydro dams in the area so the water levels would stay higher through the spawning season. As a result, now 20 years later—and also with some other very specific regulations where they put a sanctuary in the Muskoka River until about June 8, because the fish would spawn



up at the falls and they'd have to make their way five miles to the lake, so they had an actual sanctuary into roughly about the first week of June, so that you had to at least let the fish make it to the lake before you tried to fish for them. The result has been, 20 years later, that there's an excellent walleye pickerel fishery in Lake Muskoka. That's an example of how very specific rules do work.

Unfortunately, the MNR—and I expect it's to save money—is going to these huge zones that just don't necessarily make sense. So one of the things that I think people probably aren't familiar with is that, as part of the new zones for fishing for pickerel walleye in southern Ontario, as of next year, if the new rules go through, there's going to be a slot size that basically means you can't keep a walleye in all of southern Ontario from south of the French River, Cornwall to Windsor, between 15 and 25 inches, roughly. That will effectively end walleye fishing for a lot of people in southern Ontario. I think it's bad for lots of reasons. It's not a good way to manage the resource, first of all. It's not specific enough. There are huge geographic differences and some lakes that are under pressure and some that aren't, so it's not a smart way to manage the resource.

Also, it's not thinking about the economic effects to an area, for example, like Rice Lake, where there are probably 40 fishing camps around the lake. There used to be fantastic walleye fishing there. It's struggling right now. But, essentially, this will totally eliminate sport fishing for walleye in an area like Rice Lake, whereas I think the problems with the success of walleye in an area like Rice Lake are complicated. I understand there's black crappie in the lake, for example. Perhaps what the MNR needs to be doing is something like (a) looking at the water levels where spawning beds are; (b) allowing a winter season for black crappie to reduce their numbers, because I understand they eat the young walleye; and (c) being open to the idea of stocking programs. Unfortunately, we're seeing that the Ministry of Natural Resources is greatly cutting back on the fish stocking that they're doing.

In March, I had letters from the Conservationists of Frontenac Addington, very concerned with the direction of the Ministry of Natural Resources. They wrote me, saying:

"About 11 years ago, the MNR vigorously encouraged us to build a walleye hatchery. We did this even though we were a new club with little funds. With MNR support, we went to a 3.3-million-egg capacity even though our original plan was for two million eggs. To do this, it required many hours of volunteer work, a lot of borrowing and begging, and fundraising. We are proud of our hatchery—the success rate has never been below 70%—and even MNR from Peterborough have said it is the best private walleye hatchery in the southeastern part of Ontario.

"We were then encouraged to build ponds in order to raise swim-up fry to summer fingerlings.... We have stocked two lakes with swim-up fry that now have a

pickerel population and helped two other lakes with a walleye population. The netting of those first two lakes (with a COFA member present) has been very successful. Unfortunately, Bancroft"—that's Bancroft MNR—"is reluctant to admit this.

"Last year, we were told that our hatchery was not 'cost-effective' and we would only receive 200,000 eggs.... We find it hard to understand why the hatchery is not 'cost-effective' when the MNR does not fund the hatchery other than a small unsolicited grant."

I would agree. Why would you turn away the work of 40 to 50 volunteers, where you could take advantage of that and perhaps use them in a lake like Rice Lake, which is a very heavily fished lake? Keep the fishing good in that lake by put-and-take methods, and take the pressure off of other lakes. I think that's the sort of thing that with the zoned regulations just doesn't happen.

#### 1920

As well with the new approach, in my own area, in the Almaguin area, I've certainly heard that people are very concerned about opportunities for speckled trout fishing, even though the speckled trout fishing on the edge of Algonquin Park is very good; it's not under pressure. But with this big zone, they're going to close the brook trout fisheries in its zone 15 for winter fishing opportunities completely. As was noted in the Almaguin news, March 23 edition, when there was a public meeting held, residents are very concerned about the economic effects, because it's huge for the tourism industry. There's a quote here from Wayne Wahamaa, South River resident, stating, "Almaguin Highlands is a fishing destination, 70% to 75% of the local economy is from fishing.... Is the MNR working in conjunction with the Ministry of Tourism on this? We have all this technology, people from different ministries should converse about these regulations."

"Sholten," the MNR representative, "later confirmed that rainbow trout would no longer be stocked in the province and there would be a short-term reduction in the stocking of other species due to fiscal restraints."

So there are the fiscal restraints. When it comes to this bill, Bill 11, I asked a question about whether there would be any new funds to actually implement the park plans that are part of the bill, and the answer was no, that they'd come from within the ministry's existing pot of money.

As well to do with parks, another issue that was brought to my attention recently from a constituent in my area was the parks reservation process for camping, the fact that every time you make a deposit on a night's stay, the MNR, Parks Ontario, doesn't deduct the deposit fee from your actual cost of staying in the park overnight. I say this is a wrong-headed policy. I was in the accommodation business for 30 years, and it's certainly standard practice that monies put down as a deposit come off the total bill.

I note that I'm starting to run out of time, so I will try to cover off some other issues that are of importance to this area, other unsettling developments in the Ministry



of Natural Resources that have happened lately, some of which have been reversed: for example, the cutting of \$500,000 from the community fisheries wildlife involvement program that involves some 35,000 volunteers across the province in programs like the Severn Sound "Take a Little Lead Out!" program; the Barrie Bassmasters habitat improvement program; science and conservation programs at the Royal Botanical Gardens; the Pigeon Lake loon survey; Lock 19 and Rice Lake, which I was talking about a minute ago, the Lock 19 and Rice Lake walleye recruitment study, that sort of community involvement, 35,000 volunteers. The minister had announced through his bureaucrats that he was going to cut \$500,000 from that program. I'm pleased to say that in response to questions from the opposition, he has stated that he will not be cutting that back.

But there are some serious problems in the Ministry of Natural Resources. We hear stories about conservation officers unable to do their jobs because of the funding cutbacks. I note an article by Murray Martin from March of this year, saying, "Senior Ministry of Natural Resources officials have concluded that the Ministry of Natural Resources fish and wildlife program is on the brink of bankruptcy." He goes on about the conservation officers: "It is that serious that the fleet of vehicles used by most field staff has been recalled back in and should the field technical team have to go to the field, they will have to use their own vehicles. Some conservation officers have claimed they are on limited mileage. They have no fish and wildlife project monies," and any project would be financed by private organizations—some real, serious concerns.

Also in my area, the local fire division has been made into a bigger area again so that the Parry Sound office is being shut down.

I note a letter from Bob Cardy from the Parry Sound Area Chamber of Commerce, writing to Minister Ramsay and saying, "We are bringing to your attention our concerns over the recent announcement of the relocation of the fire division of the local Ministry of Natural Resources." He goes on to say, "The second concern is that with this relocation, the forest fire protection for our area will be hindered by longer response times." I note that the township of McKellar also wrote, stating, "The council of the township of McKellar is concerned about the lack of communication and public consultation prior to this closure."

So many concerns are being raised. One person from my riding who speaks with some knowledge about the Ministry of Natural Resources, and particularly the fish and wildlife division, because he used to be the director of it, is Andrew Houser, who lives in the Whitestone area. He recently did an article on MNR's new fishing regulations, stating how they are just not going to work and making an excellent case. I'd highly recommend the reading of that. It's a July 2006 anglers and hunters publication that goes into the details. I know that Andrew Houser also made a deputation to the pre-budget consultations pointing out that the ministry is some \$25 million

short to properly fund the fish and wildlife program of the Ministry of Natural Resources.

I would like to point out that the Ontario Federation of Anglers and Hunters has a written letter—we've seen this act before—from the Premier stating that he would fully fund, if elected—this was in the spring of 2003—the fish and wildlife program of the Ministry of Natural Resources. Well, he was elected, and guess what? He's not funding, to the tune of some \$25 million in shortfall, the fish and wildlife area.

In wrapping up, because I only have a minute and a half or so left, I would like to also get on the record with Bill 11 the fact that I did raise concerns to do with the Dokis First Nation in my riding, and proposed an amendment, which the government voted against, to do with water power generation. I know Dokis, which is on the French River, would very much like to have some economic benefit from hydroelectric generation projects. The bill limits hydro generation programs to non-grid situations, whereas Dokis is on the grid. They do want to develop a hydroelectric project which they would feed into the grid and benefit from. I would point out that I have been on location and there are already dam structures on location.

So, in wrapping up, I would like to say that most of the concerns I raised in committee have been addressed, in a slightly different way than we had proposed, by the government's own amendments. The main message I'd like to say tonight is that this bill is okay; however, the Ministry of Natural Resources itself has some major concerns, some of which I have outlined this evening.

**The Acting Speaker:** Questions and comments. Are there any questions and comments?

Further debate?

**Mr. Gilles Bisson (Timmins–James Bay):** Well, I've got to say I had a really good weekend, Speaker. It would seem that there's hope for people like me yet, I've got to say. If some of you had a chance to read the Sun this weekend, you found out that anything is possible by reading that article.

I want to put a couple of things on the record in regard to Bill 11. First of all, for those who just walked into the Legislature wondering what we're debating tonight, it's Bill 11, third reading. This is the bill where the government purports to move parks policy into legislation. The current regime is that the Ministry of Natural Resources manages all the parks in the province by way of policies, and those policies are derived from work that the ministry has done over the years. Some of it is legislative in form; some of it is strictly policy; and there are parks plans that are put in place in order to assist the MNR in the kinds of decisions they've got to make about how to manage their parks.

The government, in introducing this bill, did what we in the opposition actually supported, which is the concept of moving parks policy into legislation. As we said at second reading, that, in its concept, is not a bad idea if you're really going to do what it is that needs to be done.



## 1930

Why should we move policy into legislation? Simply for this reason: Once it's legislation, it's very hard for a minister in the future to all of a sudden decide to weaken parks policy that might affect our provincial parks. We have many beautiful provincial parks in this province, as we've heard about in this debate. Many of us have visited them, and we know how important they are to the province of Ontario. I want to put on the record up front that as New Democrats we support the direction that the government wanted to take in this bill in regard to moving from actual policy manuals into legislation because we figure that once you do that, it will be very hard to undo some of the very necessary steps that we have to take to protect our parks.

We had a couple of bottom lines in this legislation that we wanted to put forward, and I'm going to do this in no particular order other than what I have right here. There were a few things we thought needed to be done. One of them is, you can't look at park policy strictly from the perspective of looking at what's going on in the park. A concept was brought forward by a number of different people who presented to our committee who said that basically what we need to do is think about developing something called a "good neighbour" clause. A good neighbour clause is, simply said, if you've got a park that's, let's say, 100 kilometres square—just to keep it simple—and on the east boundary of the park, or whatever boundary it might be, there is some sort of activity going on—either mining, forestry, smelting, or a plant might be built or is proposed to be built—you have to take into account that whatever goes on just outside the park may migrate into the park. For example, you may have a river flowing into the park. Certainly, you don't want to do something to that river that would pollute it and affect the park. You may have a plant being built where there may be some migration of chemicals or whatever it might be in the ground that might seep into the park. So they brought forward the concept of a good neighbour clause.

I understand from the government's perspective that that's a bit of a fine line to walk, because you've got the environment movement and others who are concerned about that issue on the one side, and then you've got mining and forest companies on the other side who worry that it means you can't do anything around the park. I think, at the very least, the government should have tried to find some sort of balance on that issue, but unfortunately the government decided not to move at all in this direction. Rather than saying, "Let's look at what can be done in order to take this into account in some way," and try to respond to the requests made from various people on this issue, instead the government said, "Let's just throw out the concept altogether." I think that's rather sad, because although I understand there's two sides to the story, I understand that you don't want to stop development altogether outside of the park—who would want to do that?—but, on the other hand, there may be a development that's so bad it would affect the park and

you have to ask yourself the question, is that something that you really want to allow to go forward?

Granted, the government would say, "That's why we have environmental assessments on brand new construction," etc., but I think it would have been wise for the government to have looked at that issue of the good neighbour policy. Whatever would have come out of that, if we had had sufficient time in committee to deal with it, we could have dealt with that issue.

That brings me to my next point. I believe that even though some would say that it's pretty straightforward, that the legislation is not all that complicated—it's not a very big bill—nonetheless we should have had a little bit more time at committee. I think that's something where we all do a disservice to ourselves in regard to debate on bills. Debate is one thing, but committee is quite another thing. That's where the public gets a chance to have their say, and that's where all of us in the Legislature, either government or opposition, get an opportunity to look at the bill, look at what can be done, look to see if it can be amended to be made stronger or better. I find that the committee process doesn't work as well as it should. In this particular case, this bill had equivalent to a day and a little bit of public hearing and basically a little bit less than a day for clause-by-clause. It would have been wonderful if to have had the opportunity—

Are those the pictures? I would love to see them. No, that's the Hill Times. Okay, that's another story. There we go. That's a better one; very good.

Anyway, I would just say that we should have had more time at committee in order to give those who presented an opportunity to speak to us about this issue. Number two, we should have had sufficient time between the end of the committee hearings and the clause-by-clause to think about these issues and figure out how best to come at and resolve some of the issues that were brought before us. Number three, what I think is even more important, you have to have sufficient time in clause-by-clause to try to work this stuff out. It's unfortunate that we weren't able to do that in this case, and we have a bill that I think is far less than it could have been.

Let's deal with another one of the issues, one that I thought was kind of interesting. In the legislation, the government says, "If you want to diminish the size of a park, you can't do that unless the minister comes to the Legislature for permission." There would actually have to be a bill drawn in order to diminish the size of the park. I support that; I don't think that's a bad idea. However, there's this clause that basically says, "But if the minister wants to delete 2% of the overall land mass of the park, he or she can do that on their own by way of their authority through the legislation." I pointed out at the time that the problem with that is, what you could end up with is floating boundaries on the park, where you may have an area that is very sensitive, an area that we really should protect, but for some reason, somebody wants some development to go on and they've got the ear of the minister, and the minister says, "Well, we're going to eliminate that 2% of the park."



The saw-off for the government—and the environmentalists thought they were getting a great deal—was, “Rather than 2%, we’ll drop it down to 1%.” I pointed out to people, “Well, 1%?” Think about it: If I was the minister and I had to figure out how to get 2% or 3% out of the park, all I’d have to do is increase the park size somewhere else and then diminish its size and take out the part of park that I want. In other words, you have a park and, to keep it to round numbers, it’s 100 square kilometres, and the government now has a 1% rule that says that they can take one square kilometre out of that park. Let’s say that they wanted to take five square kilometres out of the park for whatever reason. All they would have to do is increase the size of the park by a percentage equalling 4% of the park and they’d be able to take out anything they wanted to by order in council. I think that’s a backdoor approach to being able to deal with that issue.

Again, I think we should have given a little bit more thought to that section. Either we have a park and we protect it or we don’t. I was of the view that if you want to diminish the size of a park, it should take an act of Parliament, an act of this Legislature. Why? Because these are really sensitive issues. Imagine Polar Bear Provincial Park, Algonquin Provincial Park, Killarney park, Kettle Lakes park up in my riding, René Brunelle park or whatever it might be: If you wanted to go in and take part of that park out, take 1% out, the minister could do it on his own or her own, if that was the case, and there’s no mechanism for the Legislature to have any say. I think that if there’s a good reason why that part of that park has to come out, bring it to the Legislature and let the government use their majority. At least then it’s in the open, nobody’s trying to hide anything and it’s all above board. Plus, the members of the Legislature get an opportunity to speak on that issue.

I want to end on this particular point. I wanted to leave all of these amendments till last because I really need to take the time to deal with the First Nations issues. We started this debate by saying that one of the key issues for us as New Democrats is that we needed to make sure there was a non-derogation clause put in the legislation. A non-derogation clause simply means that anything that happens in this legislation cannot negatively affect a First Nation’s treaty rights. That is a standard clause we put into most legislation because we have to honour the treaties we signed with our First Nations, both the province and the federal government, and we don’t want to be introducing legislation that would take away those treaty rights. I’m glad to say that the government accepted our amendment, along with the opposition’s amendment, in moving that forward. In fact, the government itself introduced an amendment, and we got into a bit of a tizzy in committee about whose amendment we were going to take. Finally, people decided, “Let’s not play games with this. Let’s just do it.” So I’ve got to give the government some credit. They actually supported the opposition amendment to deal with a non-derogation clause.

However, that being said, all the other items that were very important to First Nations weren’t being dealt with.

For example, virtually all the First Nations who presented—Stan Beardy and others who came before our committee—said, “Listen, if you’re going to create a park and it’s going to affect a First Nations community, you have to do it in consultation with the First Nations community, and there’s got to be a process for that to happen.” Far too often, we’ve created parks in this province without the knowledge of the First Nations, and all of a sudden they have to live with the results of that. In my own riding, we created Polar Bear Provincial Park, to the consternation of the First Nations, who had absolutely no say about what happened there. In fact, some of the watershed park that was created on the Winisk River was created without the knowledge of First Nations altogether, and it was their traditional lands. What NAN, Attawapiskat, Peawanuck and all the other First Nations communities that presented to us said was, “If you’re going to create a park, there has to be an obligation for the minister in the legislation to not only consult the First Nation, but to make sure that there’s a buy-in in the creation of the park.”

#### 1940

The government did not accept that proposal, and I would think, considering what’s happening in Caledonia, that that should be the alarm bell that you don’t play around with this stuff; you don’t go into somebody’s backyard. Where I come from, north of 50, it is 99% Cree who live in that area. We’re creating, and we have created, parks in that part of the province in northern Ontario without the knowledge of First Nations, and they’re mad as heck, and I don’t blame them, because it is their land.

For example, if you created a wilderness park, they would not be able to utilize snow machines and other vehicles that they use for the gathering of their food in the various seasons when they hunt. As you know, we hunt for geese in the spring. Further hunting and fishing go on in the summer. The fall is normally moose time and geese again, and in the winter it’s caribou. These families live on the food they catch off the land. It’s not like they can walk to the A&P down the street, because there’s no A&P in any of these communities. They live off what they take off the land. If you were to create a wilderness park in the traditional territory of a First Nation, they could find themselves in the position of not being able to access that park for the gathering of their food. I think it was important for the government to recognize that we should have an obligation, whenever a park is created, that that park be created in consultation with the First Nations community.

The other part that was talked about, in regard to the presentation the Nishnawbe-Aski Nation made, was the whole issue of being able to have the use of traditional knowledge—the elders and others who have been living on that land—when developing a park in and around a First Nation. We all recognize that First Nations have been living here for thousands of years, and over those thousands of years they have developed quite a knowledge about their ecosystem. One of things they ask is

that if you're going to create a park in and around a First Nation and you're going to develop a parks policy manual for it, you need to be able to bring the First Nations in so they can contribute their traditional knowledge in the development of the plan.

When we were developing Polar Bear Provincial Park, it would have made sense to speak to the elders at Peawanuck and Attawapiskat who were affected by this park and say, "What is your traditional knowledge? Where are the burial sites? Where are the historical sites we need to know about? What do we need to know about the ecosystem, as far as the things you have learned over these thousands of years?" We didn't make that amendment, and I think that's rather sad, because it would have been a way to bring First Nations into the planning process and put that in legislation. I've got to say that I'm disappointed we actually did not move in that direction.

The other thing we didn't do that they asked for was the issue of hiring First Nations people in the running of these parks; for example, Polar Bear Provincial Park, which is in my riding, up on Hudson's Bay. Basically, the only communities affected by that park are Winisk to the north—the old Peawanuck—and Attawapiskat to the south. Why wouldn't we use First Nations people to work in those parks? Why don't we have some kind of policy that says, "For the park manager and the various people who work in the park we're going to pull on the community to hire those people and make sure they're able to get something positive out of the park," and, as I said, to be involved in the process of developing the plan by which that park is going to be run?

The other thing we need to talk about is the whole issue—and this was brought up by a number of First Nations—of the creation of a new class of park. In the legislation, I believe there are seven or eight various classes of parks. What the Nishnawbe-Aski asked for was to create a new classification, the aboriginal cultural heritage park, so that as we're developing areas we want to protect, we take a look at whether it makes sense, in some cases, to have aboriginal cultural heritage parks and

so designate them, so that they're run with the traditional knowledge of First Nations and in the spirit of what First Nations are all about.

Those are some of the comments I wanted to put on the record. I just want to say it's unfortunate that the government did not move on those very important amendments that I think needed to be made in order to give First Nations the role they need to have in developing parks. I have to say that as we go through the process of the round table by which we're trying to find a way to work with First Nations—so says the government—this would have been a really good way to identify yourselves as listening to First Nations and doing something positive.

That would conclude my comments.

**The Acting Speaker:** Questions and comments? Are there any questions and comments?

Further debate? Are there any other members who wish to participate in the debate?

Seeing none, the minister has the option, if you so choose, of closing debate. You're shaking your head in the negative.

The Minister of Culture has moved third reading of Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2006, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts.

Shall the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Resolved that the bill do now pass and be entitled as in the motion.

Orders of the day.

**Hon. Ms. Di Cocco:** I move adjournment of the House.

**The Acting Speaker:** Shall the motion carry? Carried.

The House stands adjourned until tomorrow at 1:30 of the clock.

*The House adjourned at 1946.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock Halton	Scott, Laurie (PC) Chudleigh, Ted (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brant	Levac, Dave (L)	Huron-Bruce	Mitchell, Carol (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouveau de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lanark-Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Leeds-Grenville	Runciman, Robert W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London-Fanshawe	Ramal, Khalil (L)
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	Markham	Wong, Tony C. (L)
Erie-Lincoln Essex	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Crosier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Nepean-Carleton	MacLeod, Lisa (PC)
	Lalonde, Jean-Marc (L)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Health Promotion / ministre de la Promotion de la santé	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Orléans	McNeely, Phil (L)	Trinity–Spadina	Marchese, Rosario (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Oxford	Hardeman, Ernie (PC)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parry Sound–Muskoka	Miller, Norm (PC)	Whitby–Ajax	Elliott, Christine (PC)
Perth–Middlesex	Wilkinson, John (L)	Willowdale	Zimmer, David (L)
Peterborough	Leal, Jeff (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy / ministre de l'Énergie
Prince Edward–Hastings	Parsons, Ernie (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York North / York-Nord	Munro, Julia (PC)
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline</b> (L) Minister of Culture / ministre de la Culture	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sault Ste. Marie	Oraziotti, David (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Parkdale–High Park	Vacant
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

### **Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziatti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craitor, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

### **Social Policy / Politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qaadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

### **Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

## CONTENTS

Monday 19 June 2006

### THIRD READINGS

#### Provincial Parks and Conservation

##### Reserves Act, 2006, Bill 11,

*Mr. Ramsay*

Ms. Di Cocco ..... 4757

Mr. Oraziotti ..... 4757

Mr. Miller ..... 4760

Mr. Bisson ..... 4763

Agreed to ..... 4766

## TABLE DES MATIÈRES

Lundi 19 juin 2006

### TROISIÈME LECTURE

#### Loi de 2006 sur les parcs provinciaux et les réserves de conservation,

projet de loi 11, *M. Ramsay*

Adoptée ..... 4766



No. 93A



N° 93A

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 20 June 2006

Mardi 20 juin 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

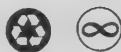
L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 20 juin 2006

*The House met at 1330.  
Prayers.*

### ESTIMATES

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** Mr. Speaker, I have a message from the Honourable the Lieutenant Governor, signed by his own hand.

**The Speaker (Hon. Michael A. Brown):** The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 2007, and recommends them to the Legislative Assembly.

### MEMBERS' STATEMENTS

#### CHIEF EAN ALGAR

**Mr. Cameron Jackson (Burlington):** On Friday, June 2, residents of Halton region assembled to pay tribute to the outstanding contributions to our community by our beloved Halton Police Chief, Ean Algar. His 38-year policing career has been recognized for outstanding leadership, for incredible sensitivity and for understanding on all of the major issues facing police services for the men and women who serve with distinction under his watch—sensitivity to the needs of cultural diversity by developing the province's first outreach programs and open-door policies; sensitivity to the needs of victims of violence, especially women and children; and sensitivity to the needs of seniors, all too often the targets of fraud artists.

As the first officer to rise through the ranks to become police chief, growing up in Halton, Ean recognized the importance of police understanding the needs of a changing community, and he actively participated in making it safer, better and more tolerant. As one tribute stated, "Ean Algar is the gold standard for leadership and an outstanding model of inclusion and partnership."

On behalf of the citizens of Halton region, we want to pay a special thank-you to Chief Ean Algar and to his beautiful wife, Suzanne, and their family for his inspired leadership and their selfless support and the many contributions he made to make Halton a safer and better place for all of us to live.

#### ROUGE PARK

**Mr. Tony C. Wong (Markham):** On June 3, I had the privilege of attending the Rouge Park Wetland grand

opening and greenbelt celebration. This environmental initiative is yet another example of our government's bold leadership and vision in recognizing that we must protect and do everything we can to preserve our vulnerable green spaces.

The benefits of protecting and preserving our natural heritage, like the Duffins Rouge Agricultural Preserve, are endless. My visit included a tour of the wetland and a hike up Beare Hill. From Beare Hill, I could feel the beautiful expanse of the Rouge Duffins greenbelt stretching from Lake Ontario to the Oak Ridges moraine. I can tell you, from experience, the view is awesome.

Over the past few years, Friends of the Rouge Watershed have worked with municipal, provincial, federal, youth and community partners to convert an old gravel pit into a beautiful and habitat-rich 12-acre wetland in the heart of Rouge Park. This government's creation of a 1.8-million-acre greenbelt to limit urban growth has helped make this natural habitat possible.

Over the summer months, I will remind myself and encourage others to make simpler and cleaner choices that will contribute to the preservation of our environment. I welcome you to visit Rouge Park to experience for yourself the great things this government, our youth and community volunteers have done to build a healthier, greener Ontario.

#### PORTUGUESE CANADIAN COMMUNITY

**Mr. Gerry Martiniuk (Cambridge):** On June 10 of each year, Ontarians celebrate Portuguese history and heritage on Portugal Day in the month of June, designated by the Celebration of Portuguese Heritage Act, 2001, an act I supported and voted for.

I was honoured to join in the celebration with the large Portuguese population in Cambridge a couple of weeks ago, enjoying the parade and flag raising. Now I stand in this place and recognize the 50th anniversary of 10 Portuguese pioneers in Cambridge. In 1956, 10 young men—Agosto Moitoso, Antonio Pereira, Ernesto Rebelo, Gilberto Inacio, Jose Oliveria, Jose Da Silva, Jose Santos, Jose Silveira, Manuel Duarte and Manuel Da Silva—left their homeland of Portugal to come to Canada and Cambridge, which today they and their families call home.

On July 8 and 9, these men will be honoured at Our Lady of Fatima Church in Cambridge. Their hard work, sacrifice and dedication to provide their loved ones with

a life of freedom, stability and opportunity is to be commended. They forged a trail for their families and thousands of other Portuguese immigrants in Cambridge.

I want to thank these men, who have made Cambridge and Ontario a better place to live, work and raise a family.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity–Spadina):** The government continues to claim that schools are adequately funded. If schools are being adequately funded, why are parents at Keys Public School in the Renfrew County District School Board being asked to provide the following basics to grade 7 and 8 students out of their own pockets? “During the first week of September, please provide your child with a \$13 cheque, payable to ‘Keys Public School.’” Here are the supplies they’re being asked to bring: pencils, approximately 20, two per month; erasers, good quality, approximately five, one every two months; pencil sharpener with container; ball-point pens; glue sticks; white-out; scissors; calculator, solar; pencil crayons; markers, water-soluble; ruler; reinforcements; protractor and compass; two pencil cases; five Duo-Tangs; Bristol board; computer disks for saving computer assignments; and on and on.

We also have a list from T. W. Morison Public School in the Renfrew County District School Board for parents of grade 1 to 4 students. They have to bring: pencils; erasers; pencil sharpener with container; ball-point pens; glue sticks; white-out; scissors; calculator; Bristol board; two Hilroy notebooks/cahiers; five computer disks for saving computer assignments; and so on. You get the drift.

When will this government come up with a funding model that does not require parents to subsidize their children’s education—

**The Speaker (Hon. Michael A. Brown):** Thank you.

1340

#### EVENTS IN HAMILTON WEST

**Ms. Judy Marsales (Hamilton West):** I rise in the House today to bring two wonderful stories from Hamilton. First, 31 female rowers from St. Mary’s Catholic Secondary School are number one in the nation. On June 4, St. Mary’s Crusaders won the Canadian Secondary Schools’ Rowing Association Regatta and were awarded the Hanlan Boat Club trophy. This is the second year in a row for the St. Mary’s women’s rowing crew to take home this championship trophy, awarded to the top women’s rowing program in the country.

Head coach Kevin Monaco, from St. Mary’s Catholic Secondary School, is proud of the program and credits its success to a combination of physical education, rowing instruction and dedicated athletes.

I also want to congratulate the team of five girls who took home two gold medals in two different races: Brittany Furtado, Brianne Misner, Julie VanBerkel, Julia

Thomson and coxie Jennifer Freeman. Hard work, dedication and a commitment to working together make this St. Mary’s rowing team a champion.

Honourable mentions to other Hamilton teams participating in the regatta include: Westdale Secondary School, Hillfield-Strathallan College, Bishop Tonnas and Bishop Ryan Catholic Secondary School.

These are great, great students in Hamilton, and we really commend their sincere dedication and effort.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** Welcome to Dalton Creek Estates, coming soon to a community near you. First Caledonia, next Burtch; who knows: Townsend, South Cayuga, Brantford, the region of Waterloo?

Under the Places to Grow Act, Caledonia is the first community to host Dalton Creek Estates. Don’t go to Dalton Creek Estates if you want to escape Premier McGuinty’s weak leadership. Just recently, he bought the whole development at a secret price.

Dalton Creek is a gated community, despite government rhetoric to the contrary. But don’t let the gates fool you: Things can get ugly. The rule of law does not apply. Premier McGuinty negotiates, at taxpayers’ expense, from a position of weakness despite six warrants outstanding and barricades still up.

Located at the south end of Caledonia, Dalton Creek Estates is facing economic hardship. Business is down; neighbouring subdivisions feel the stress and tension and are exposed to violence and mayhem.

There are no phones or TVs at Dalton Creek Estates, but that’s part of the broader policy being promoted by Premier McGuinty: no communication of any kind. And if you don’t like the landlords running Dalton Creek Estates, too bad for you, because the question remains: Does anyone know who’s in charge? And if someone is in charge, how would we know? There’s no communication and there’s no leadership.

#### TOURISM

**Mrs. Carol Mitchell (Huron–Bruce):** I’m very pleased to rise today to speak about this government’s recent fun pass announcement. The 2006 More to Discover fun pass, distributed to every elementary school student across the province, contains one free admission to 15 provincial attractions across Ontario and a discount on daily vehicle parking permits to any of our provincial parks.

In my riding of Huron–Bruce, that means children and their parents can enjoy a discounted parking rate at Point Farms Provincial Park north of Goderich, MacGregor Point Provincial Park south of Port Elgin, and Inverhuron Provincial Park outside of Tiverton. Last summer, this government officially opened the overnight camping portion of Inverhuron after 29 years of closure.

The fun pass will help to attract many new tourists to the area each day, and in turn will be a boost to our local



economy. I hope everyone takes advantage of the wonderful opportunity to discover what this great province has to offer and takes the time to travel through the most beautiful riding in Ontario, that being Huron–Bruce.

### ÉDUCATION EN FRANÇAIS

**Mr. Phil McNeely (Ottawa–Orléans):** Lundi matin, j'ai eu le plaisir de me joindre à mes collègues l'honorable Sandra Pupatello, ministre de l'Éducation, l'honorable Madeleine Meilleur, ministre des Services sociaux et communautaires et ministre déléguée aux Affaires francophones, et député Jean-Marc Lalonde pour une annonce qui va contribuer à la réussite des élèves francophones de l'Ontario.

À l'école francophone Béatrice-Desloges à Orléans, on a annoncé un investissement dans les écoles de langue française de l'Ontario pour appuyer l'amélioration continue des résultats des élèves francophones de la province. Il s'agit d'une augmentation de 34 \$ millions, ou de 3,5 %, pour appuyer le rendement scolaire de près de 90 000 élèves francophones en Ontario. Cet investissement va non seulement assurer la qualité de l'éducation en langue française, mais ça va aussi contrer l'assimilation des élèves francophones.

Enfin, le gouvernement de monsieur McGuinty veut renforcer les communautés francophones de l'Ontario. C'est pour cela que nous continuerons de soutenir et d'encourager l'essor des écoles de langue française aux quatre coins de l'Ontario. Je crois fortement que la vigueur et la vitalité de nos écoles et de notre culture de la langue française revêtent une grande importance pour l'Ontario et, plus précisément, pour l'est de l'Ontario.

J'étais très heureux de me joindre à mes collègues pour cette annonce. J'anticipe davantage de résultats positifs grâce au soutien continu du gouvernement McGuinty pour l'éducation de langue française.

### PREMIER'S VISIT

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** This past Friday, Premier McGuinty spent some time with me in Cornwall in my riding of Stormont–Dundas–Charlottenburgh, and what a day it was. We visited Viscount Alexander Public School, where I began my teaching career in 1969, and Cornwall Collegiate and Vocational School, the school I attended for my high school years, which this year is celebrating its bicentennial. The Premier dialogued with students, commending them for their dedication and inspiring them with the simple message that with a strong education, anything is possible. He met with community leaders and townsfolk, sharing in their spirit of possibility and reaffirming his commitment to the community through his words and actions.

With his visit, Premier McGuinty has energized my constituents. They can feel that the sky's the limit for Cornwall. With such news recently received on 90% funding for Cornwall and Winchester hospitals, financial

supports for our schools to reduce class sizes and raise test scores, and the \$6 million for the ethanol facility planned in my riding, my constituents understand that their government and their Premier are supporting them 100%.

The visit last Friday was a boost to my constituents and to those who work so hard. Those community leaders, especially those who work on municipal councils, have worked hard. My constituents have told me to tell you what a great leader and role model our Premier is and that he will always be welcome in Cornwall and throughout the riding of Stormont–Dundas–Charlottenburgh.

### VISITORS

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** On a point of order, Mr. Speaker: I beg your indulgence while I introduce my daughter Amanda Shelly and my granddaughter Grace, who have come to visit with us. They're in the members' gallery right here.

**Mr. Peter Kormos (Niagara Centre):** On a point of order, Mr. Speaker: I'm pleased to introduce a young woman, Ana Bredova, from Michalovce, Slovakia, here visiting her aunt Margita Galat and her uncle Branislav Galat.

**Hon. Jim Watson (Minister of Health Promotion):** On a point of order, Mr. Speaker: I'd like to point out in the Legislature three of our great summer interns working at Health Promotion: Paulo, Brian and Jana—their very first time visiting us here and seeing us in action. Welcome.

### MOTIONS

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, June 20, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion number 176. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it—the ayes have it. I'm sorry.

*Interjections.*

**The Speaker:** In my opinion, the ayes have it.

**Mr. Rosario Marchese (Trinity–Spadina):** You can't do that.

**The Speaker:** Yes, I can. Call in the members. There will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hoy, Pat	Patten, Richard
Arthurs, Wayne	Jackson, Cameron	Peters, Steve
Balkissoon, Bas	Jeffrey, Linda	Phillips, Gerry
Barrett, Toby	Klees, Frank	Racco, Mario G.
Bartolucci, Rick	Kular, Kuldip	Ramal, Khalil
Bentley, Christopher	Kwinter, Monte	Rinaldi, Lou
Bountrogianni, Marie	Lalonde, Jean-Marc	Ruprecht, Tony
Bradley, James J.	Levac, Dave	Sandals, Liz
Brownell, Jim	MacLeod, Lisa	Scott, Laurie
Cansfield, Donna H.	Marsales, Judy	Sergio, Mario
Colle, Mike	Martiniuk, Gerry	Sterling, Norman W.
Crozier, Bruce	Mauro, Bill	Tascona, Joseph N.
Delaney, Bob	McMeekin, Ted	Tory, John
Di Cocco, Caroline	McNeely, Phil	Van Bommel, Maria
Dombrowsky, Leona	Meilleur, Madeleine	Watson, Jim
Duguid, Brad	Miller, Norm	Wilkinson, John
Duncan, Dwight	Mossop, Jennifer F.	Witmer, Elizabeth
Elliott, Christine	Munro, Julia	Wong, Tony C.
Gravelle, Michael	Oraziotti, David	Wynne, Kathleen O.
Hardeman, Ernie	Parsons, Ernie	Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Martel, Shelley	Tabuns, Peter
Kormos, Peter	Murdoch, Bill	
Marchese, Rosario	Prue, Michael	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 60; the nays are 7.

**The Speaker:** I declare the motion carried.

### ANNUAL REPORTS, OFFICE OF THE INTEGRITY COMMISSIONER

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that I have today laid upon the table the annual report of the Office of the Integrity Commissioner for the period April 1, 2005, to March 31, 2006.

I further beg to inform the House that I have today laid upon the table the seventh annual report from the lobbyists registration office, Office of the Integrity Commissioner, with respect to the administration of the Lobbyists Registration Act, 1998, for the period April 1, 2005, to March 31, 2006.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### MINING INDUSTRY

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I am very pleased to rise in the House today to inform members that a new, brilliant chapter in Ontario's colourful and prolific mining history was opened yesterday with the official launch of con-

struction of De Beers Canada Victor Project, Ontario's first diamond mine.

I was honoured to join Premier Dalton McGuinty, Minister David Ramsay, Minister Chris Bentley, representatives of the Attawapiskat First Nation and officials of De Beers Canada in the ceremonial start of construction of the mine, located approximately 90 kilometres west of the community of Attawapiskat on the coast of James Bay.

From a statistical perspective, the Victor Project is truly remarkable. When it goes into production in 2008, the mine is expected to produce six million karats of diamonds during its life. According to De Beers estimates, its total investment into the mine is approximately \$1 billion. The mine will employ about 600 people during construction and 375 people during production. De Beers anticipates that this project will create a \$6.7-billion ripple through the provincial economy, much of it in northern Ontario.

1400

While the numbers are impressive, the Victor project is, in my mind, more about people. I am thinking particularly about the potential that it has to greatly benefit the people of Attawapiskat and other aboriginal communities in the area.

The evolution of the Victor project has been marked by extensive and forthright consultations with local stakeholders. In fact, there were more than 100 meetings with coastal First Nations communities to discuss the impact of the operation. The pinnacle of those discussions was the ratification by members of the Attawapiskat First Nation of an impacts benefits agreement. The agreement covers a wide range of issues, including education and training, employment, workplace conditions, business opportunities, environmental protection, social and cultural protection, and significant financial considerations.

Communication is the essence of understanding. I commend De Beers Canada and the First Nations communities for developing a dialogue and a basis for mutual trust. Together, they have built a foundation for a project that will minimize impacts and maximize benefits for those communities.

The Victor project has also been marked by exemplary co-ordination between various provincial and federal agencies. Staff from both the provincial and federal levels of government worked tirelessly and in unison to ensure that permitting and environmental assessments were met and carried out in an expeditious way.

The road to Ontario's first diamond mine has necessarily been a long one. A great deal of effort, consultation and investment is now being rewarded. As Ontario joins the exclusive group of diamond-producing jurisdictions in the world, I am optimistic that other diamond deposits will be discovered in the north.

The Ministry of Northern Development and Mines has been working diligently to encourage and support the search for diamonds. We have developed programs and services such as indicator mineral studies, inventory



studies, bedrock mapping, airborne geophysical surveys and field trips to assist in identifying potential diamond exploration targets. Our geoscientists provide knowledgeable advice to clients so they can efficiently and effectively target their exploration resources.

The Victor project has also been a catalyst for diamond exploration in the province. Spending has climbed from \$5 million in 1998 to more than \$45 million in 2005, and more than 30 companies are exploring for diamonds throughout the province.

The McGuinty government continues investing in programs and services to ensure that mineral exploration and development opportunities continue to thrive for everyone. This includes launching Ontario's first mineral development strategy, which will enhance the mineral sector's global competitiveness while opening new opportunities for all Ontarians; investing \$10 million in Laurentian University's Centre for Excellence in Mining Innovation; investing \$15 million over three years for geological mapping in the far north; providing ongoing, one-stop Internet access to provincial mining-related services; and maintaining one of the most favourable tax systems and most attractive business climates in the world.

For most of the 20th century, diamond deposits in Ontario have been nothing more than a gleam in prospectors' eyes. Today they are very real, and they are bringing the sparkle of prosperity to Ontario's north and to the rest of the province.

## HEALTH PROMOTION

### PROMOTION DE LA SANTÉ

**Hon. Jim Watson (Minister of Health Promotion):** I rise in the House today to put before you this government's action plan for healthy eating and active living.

When Dr. Sheela Basrur rang the alarm bell on the issues of obesity and diabetes in her Healthy Weights, Healthy Lives report, she challenged many sectors in this province to take action. For instance, there has been a 300% increase in obesity rates amongst children in the past 15 years. Dr. Basrur challenged all of us to work together to find ways to improve health in Ontario. The action plan that I released today is the Ontario government's response to Dr. Basrur's very thoughtful report.

À l'aide de cette stratégie bien pensée, nous travaillerons en étroite collaboration avec la collectivité, le secteur privé, les ministères qui sont nos partenaires et d'autres organismes afin d'aider les Ontariens à améliorer leur santé, à devenir plus actifs physiquement et à faire de meilleurs choix. Je suis vraiment très enthousiaste au sujet de ce plan d'action.

This is the first time that Ontario has integrated healthy eating and physical activity into one strategy—two factors which, together, have a significant impact on a person's health.

Our government's goal is to help Ontario families to live healthy, long lives. Good health is, of course, a

shared responsibility. Our government is committed to healthy Ontarians in a healthy Ontario, but we cannot do it alone. Our action plan is to call our partners—government bodies and the private sector, community groups and sport and recreation organizations, institutions and health professionals, and, of course, most importantly, families and individuals—to work together toward this goal.

It was my honour this morning to share the podium at the YMCA in downtown Toronto with Dr. David Bach, president of the Ontario Medical Association, and Mr. Rocco Rossi, president and CEO of the Heart and Stroke Foundation of Canada.

We were joined by literally dozens of other partners who came out in support of the plan: the Canadian Cancer Society, the Canadian Diabetes Association, the Boys and Girls Clubs of Canada, the Dairy Farmers of Ontario and the YM/YWCA, to name just a few.

These two organizations in particular, the OMA and the Heart and Stroke Foundation, exemplify the true nature of effective partnerships and organizations that have taken on the fight against obesity as their own cause as well.

C'est parce qu'une alimentation saine et un mode de vie actif sont beaucoup plus qu'une question de choix individuel. Il s'agit de travailler ensemble selon une approche coordonnée afin que nous puissions y arriver.

J'aimerais remercier nos partenaires pour l'aide qu'ils ont déjà apportée aux Ontariens afin de les faire progresser sur la voie d'une meilleure santé.

The action plan lays out the plans for a pilot program—for instance, to deliver fruits and vegetables to students in northern Ontario—modelled on a similar program in the UK.

The action plan introduces our goal of working with dietitians of Ontario to develop a web- and telephone-based advisory service on nutrition. An example is a dial-a-dietician program that has been very successful in British Columbia. We don't have to reinvent these programs; we can share them from other jurisdictions.

The action plan introduces a recognition program for schools to acknowledge efforts to promote healthy eating and physical activity in Ontario schools. I look forward to working with Minister Papatello to roll out that program in the fall.

Our plan builds on a strong foundation of strategies already under way. These include our Active 2010 strategy, the Ontario trails strategy, the heart health program, the communities in action fund—many members are well aware of how successful that program has been in getting small amounts of seed money into physical activity programs across the province—the chronic disease prevention programs delivered on our behalf through public health units, and a variety of public education campaigns, including encouraging the federal government to revitalize the very successful Participation program. I look forward to dealing with Ministers Chong and Clement on this and on sport infrastructure matters tomorrow and Thursday at the federal-provincial-territorial sports meeting.



The action plan I announced today also builds on the success of the government's Smoke-Free Ontario Act and the lessons we learned in making this landmark legislation a reality.

Grâce à cette loi, nous avons compris l'importance de l'engagement et de la sensibilisation de la population concernant les menaces à la santé. Nous savons que les Ontariens sont désireux de faire des choix santé et ils le feront lorsqu'on leur donnera les bonnes informations et lorsque nous aurons tous conjugué nos efforts pour atteindre cet objectif commun, une meilleure santé.

Our action plan invests \$10 million this year in a phased-in approach to healthy eating and active living in areas that have the greatest need and potential for change.

In summary, our priorities are to grow healthy children and youth, build healthy communities, champion healthy public policy, and promote public awareness and engagement.

Since the inception of the Ministry of Health Promotion, created by Premier McGuinty one year ago next week, our government has championed health promotion and served as a catalyst for healthy eating and active living across the government and across Ontario. We can begin to overcome barriers to healthy eating and active living. I look forward to members' input and support of this very ambitious, progressive and exciting plan.

**The Speaker (Hon. Michael A. Brown):** Responses?  
1410

#### MINING INDUSTRY

**Mr. Norm Miller (Parry Sound-Muskoka):** It is indeed good news that Ontario is opening its first diamond mine, west of Attawapiskat, by De Beers. I would like to congratulate De Beers and the First Nation communities in the Attawapiskat area. This mine is certainly going to provide a lot of hope for the Attawapiskat aboriginal communities and possibilities for jobs and other economic benefits.

As has been pointed out, there's a long time involved in developing a mine such as this, and huge investments. I know De Beers has invested about \$1 billion to make this mine a possibility. The mine involved exploration, diamond drilling, establishing the ore body, then determining the economics of the particular mine, and, in this case as well, negotiating an impacts benefits agreement with the First Nations in the area. So it certainly didn't happen overnight. I would like to thank the northern development and mines staff involved in this whole process. I know that when I was up at the opening of the North American Palladium mine, the NDM staff were complimented, in the case of that mine, with the work they did in expediting the opening of the mine.

As was pointed out in the minister's statement, "The road to Ontario's first diamond mine has necessarily been a long one," so we should give credit where credit is due, and that is to the programs and the ministers involved, they being the former Minister of Northern Development and Mines, Tim Hudak, former minister Jim Wilson, and

former minister Dan Newman, who implemented such programs, and there were some key ones that brought about this mine; for example, the new remote mines that were provided with a 10-year tax exemption by the former PC government, and reduced tax rates to encourage mine development in remote parts of the province.

I would say that that was a critical part of attracting De Beers to spend the huge dollars involved in investing to make this mine possible. We brought in programs like freezing taxes and fees on mines, reducing the mining tax rate by 50% and providing reduction of corporate income tax for resource companies. We implemented a new flow-through tax regime for mineral exploration and provided other programs, like the \$29-million Operation Treasure Hunt, a geoscience initiative to ensure that high-quality geological data were available to spur on other new mines. We also initiated a four-year, \$8-million innovation technology program and contributed \$1.6 million through the NOHFC to set up the world-class innovation centre in Sudbury through MIRARCO.

Those are just some of the programs that the former ministers, Mr. Hudak, Mr. Newman and Mr. Wilson, put into place that very much contributed toward the opening of this new diamond mine west of Attawapiskat.

I hope this is the first of many diamond mines to open in northern Ontario. It will certainly be a great benefit to the province and especially to those First Nations communities in the immediate area. I look forward to more announcements of more new mine openings.

#### HEALTH PROMOTION

**Mr. Norman W. Sterling (Lanark-Carleton):** With regard to the Minister of Health Promotion's announcement, it's pretty hard to be against motherhood and apple pie and giving millions of dollars to worthwhile groups, but let me make a few comments. First of all, the provinces have the responsibility for delivering the health care system, and it's an expensive health care system. Heretofore, or before this government took office, the federal government was in large part the purveyor of health promotion. They did it with a great deal of aplomb, and this present federal government, under Stephen Harper, has done even more with regard to health promotion, in giving a \$500 grant per child for children to actually be involved in active recreation.

The minister says that he is going to encourage the federal government to be involved in Participaction, and I think that's a good program, but why not put all of the responsibility for health promotion in the right hands—the federal government's—save \$100 million, and spend it on hip replacements, knee replacements and all those things that our population needs—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### MINING INDUSTRY

**Mr. Gilles Bisson (Timmins-James Bay):** I want to take this opportunity to congratulate the community of Attawapiskat, which has worked very hard to be able to



deal with how to become the neighbours and hopefully the benefactors of what will be the first diamond mine to operate in the province of Ontario.

I want to say to the House that this is a project that has been a long time coming. As I've said in the House before, the diamonds were there long before any of us got elected, and De Beers has been exploring in that area and others for the better part of 20 years, so it's not as if this project has come out of nowhere.

I've got to give some credit to De Beers, because they said to the community up front that they would not establish a mine operation until such time as they had negotiated a benefits impacts agreement with the community of Attawapiskat. They held to that promise. The community, through a lot of discussion, a lot of soul-searching and trying to figure out exactly what a benefits impacts agreement should look like, finally negotiated the agreement and had it ratified in the community not so long ago. So I say to the community of Attawapiskat—to Chief Mike Carpenter, the former chief, Theresa Hall, band council and others—congratulations.

I do say to this government, however, that one of the key components that has not been dealt with is the issue of training. De Beers has tried the best it could as a mining company to provide opportunities to the people of Attawapiskat and surrounding areas to participate in training in order to qualify to get the jobs that will be created there, and unfortunately it's not enough. We need the province to do its bit, and this government has been very reluctant, as was the previous government, to get involved in a very serious way when it comes to training in order to ensure that the people of Attawapiskat and area, the Mushkegowuk Cree, are able to benefit from the jobs that will be created during both the construction phase of that project and the operation.

I say to the Minister of Northern Development and Mines, it was interesting, however, that in his own backyard just recently, Allison Dempster from CBC and others were trying to get the minister to pronounce himself on what he plans to do or what he thinks about when it comes to the Xstrata deal that's going on on the takeover of Falconbridge. The minister at the time said, "Oh, I can't comment, no, because if I do, the stock market will be affected. I've got to hide behind something called the sub judice rule." I just remind the Minister of Northern Development and Mines that in fact that is not the case. In fact, I've got an opinion here, a legal opinion, that says the following: that the minister can comment if he should so choose. Why he doesn't—he does what Liberals do best—is because he's trying to stay on both sides of the bid at the same time.

To the point, it says, "Ontario's securities laws do not address the subject of ministerial comments or government announcements that might influence the stock markets." And this is the important part: "Such statements attract legal liability only"—the word is "only"—"if they are made with fraudulent intentions."

So I say to the minister: The people of Sudbury and the people of Ontario want to know where you stand on

the Xstrata deal, and we're asking you to come clean and to say where you're at on that particular deal.

## HEALTH PROMOTION

**Ms. Shelley Martel (Nickel Belt):** The announcement made by the Minister of Health Promotion today is billed as the government's response to Dr. Basrur's report, which was released on November 25, 2004. It's worth noting that the report was produced by Dr. Basrur in her capacity as the chief medical officer of health for the province of Ontario. She was appointed by the Liberals. I supported that appointment. She also serves as the assistant deputy minister for the public health division at the Ministry of Health. So why did it take almost 19 months for this government to finally respond to Dr. Basrur's report? I have to say that the McGuinty government did not put much of a priority on her report or on her ability if it took them 19 long months to actually respond to what she had to say.

In truth, she did some very good work and made a number of recommendations that affect not only the government of Ontario but the health system, the food industry, workplaces, school boards, individuals, parents and caregivers. We hope that the government's announcement today actually does respond to some of the recommendations she made with respect to the Ontario government's role and responsibility here. We need to see which of these initiatives are actually new, because I see a number of initiatives outlined that are previous announcements that essentially have nothing to do with Dr. Basrur's report.

1420

I also hope that there's going to be sufficient funding to actually support those new initiatives that we hope are in the announcement today. I should just point out, the pilot project the government's talking about to ensure that northern students get access to fresh food and vegetables: If this includes students in aboriginal communities in northern Ontario, you'd better hope you have a lot of money to do that, because prices in northern stores are four and five times what they are anywhere else in Ontario.

Finally, we know that a number of recommendations have been made with respect to nutrition by both the Ontario Public Health Association and the Ontario Society of Nutrition Professionals in Public Health, and I would hope that we are going to get a government response to those recommendations, which were made in some cases almost two years ago as well.

**Mr. Norman W. Sterling (Lanark-Carleton):** On a point of order, Mr. Speaker: Last week, I introduced Bill 129, An Act to amend the Auditor General Act. I explained to the Legislature that this act is put in place with the intention of retaining Mr. McCarter as the Auditor General of this province until at least December 2007. It was necessary to make amendments to the Auditor General Act. Therefore, at this time, I now seek unanimous consent to proceed with orders for second and third



reading of Bill 129 and for the questions to be put immediately without debate or amendment.

**The Speaker (Hon. Michael A. Brown):** Mr. Sterling seeks unanimous consent to proceed with the orders for second and third reading of Bill 129, An Act to amend the Auditor General Act, and for the questions to be put immediately without debate or amendment. Agreed? Agreed.

AUDITOR GENERAL  
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR  
LE VÉRIFICATEUR GÉNÉRAL

Mr. Sterling moved second reading of the following bill:

Bill 129, An Act to amend the Auditor General Act /  
Projet de loi 129, Loi modifiant la Loi sur le vérificateur général.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

AUDITOR GENERAL  
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR  
LE VÉRIFICATEUR GÉNÉRAL

Mr. Sterling moved third reading of the following bill:

Bill 129, An Act to amend the Auditor General Act /  
Projet de loi 129, Loi modifiant la Loi sur le vérificateur général.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I seek unanimous consent to move a motion without notice respecting the issue of the fiscal imbalance, and for each party to be allowed to speak to the motion for up to five minutes, following which the Speaker shall put every question necessary to dispose of the motion.

**The Speaker:** Mr. Bradley seeks unanimous consent to move a motion without notice respecting the issue of the fiscal imbalance, and for each party to be allowed to speak to the motion for up to five minutes, following which the Speaker shall put every question necessary to dispose of the motion. Agreed? Agreed.

FEDERAL-PROVINCIAL  
FISCAL POLICIES  
POLITIQUES FISCALES  
FÉDÉRALES-PROVINCIALES

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I would like to move the following motion:

That the Legislative Assembly of Ontario recognizes and affirms the importance of the province of Ontario continuing to play a constructive leadership role within Confederation, as it has done since 1867; and

That the Legislative Assembly of Ontario recognizes that the fiscal imbalance exists; and

That the Legislative Assembly of Ontario calls on the federal government to address the fiscal imbalance in a manner that is fair to all Canadians.

**The Speaker (Hon. Michael A. Brown):** Mr. McGuinty has moved:

That the Legislative Assembly of Ontario recognizes and affirms the importance of the province of Ontario continuing to play a constructive leadership role within Confederation, as it has done since 1867; and

That the Legislative Assembly of Ontario recognizes that the fiscal imbalance exists; and

That the Legislative Assembly of Ontario calls on the federal government to address the fiscal imbalance in a manner that is fair to all Canadians.

Debate?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Pursuant to the motion, I rise to speak on the importance of solving the fiscal imbalance in a way that is fair to all Canadians, including those who live in Ontario. Solving the fiscal imbalance is a very real and a very important challenge facing Canada today. It deeply affects the lives of all Canadians and the future of our great country. As members of this Legislature, we all know that Canada succeeds when Ontario succeeds, and Ontario families are depending on us to stand up for them, their province and their country.

Les familles ontariennes veulent ce que veulent toutes les autres familles canadiennes : de bonnes écoles, d'excellents hôpitaux et leur juste part de succès au sein d'une économie forte. Elles—c'est-à-dire nos familles—travaillent fort, observent les règles et paient leurs impôts. En retour, elles s'attendent à ce que leur gouvernement investisse dans l'éducation, les soins de santé et les fondements d'une bonne économie, ce qui inclut des routes, des autoroutes et d'autres infrastructures.

Ontario families simply want what other Canadian families want: good schools, excellent hospitals and a fair shot at success in a strong economy. They work hard, play by the rules and pay their taxes. In return, they expect their government to invest in their education, their health care and the foundations of a strong Ontario economy, including roads and highways and other infrastructure.

But right now, Ontario families simply aren't getting their fair share of federal funding for these important programs and services. For example, this year Ontario will receive \$86 less per person for health care and education compared to Canadians living in other provinces. That means Ontarians are receiving over \$1 billion less than they should under the Canada health and social transfers. At the same time, the federal government is sitting on large budget surpluses. It has more money than



it needs to meet its responsibilities, while the provinces and territories don't have enough to meet ours.

So when Prime Minister Harper acknowledged the fiscal imbalance between the federal government and the provinces and territories, Ontario families had a right to be pleased. They had a right to assume that a fair share of their money would be coming back to Ontario so it could be invested in their kids' school, their mom's health care, or the roadway or transit system they use every day.

Yet two proposals that the federal government is considering recommend fixing the fiscal imbalance by putting more money into equalization. This would only help some Canadians, not all Canadians. Given that equalization has grown by 30% in the last four years and that it is scheduled to grow at 3.5% every year, there is no need to further enrich equalization at this time.

People in Ontario have a strong, passionate, abiding sense of their responsibility to Canada. We're proud to pay \$4.9 billion into equalization this year to support quality education and health care services in other provinces.

Venir en aide à autrui est une valeur canadienne fondamentale. Mais nous avons besoin d'une solution au déséquilibre fiscal qui traite de manière équitable tous les canadiens et canadiennes.

Helping others is a fundamental Canadian value. But we need a solution to the fiscal imbalance that treats all Canadians equally, so we can invest more of Ontarians' hard-earned dollars in the things that are most important to them, like their schools, their hospitals, their roads and their public transit, because when we build a stronger Ontario, we can build a stronger Canada.

The members of this House need to speak with one voice to our fellow Canadians. We need to work together to solve the fiscal imbalance in a way that helps all Canadians succeed and prosper, so we can compete and win in a global economy and so we can ensure the best quality of life for all our people. Solving the fiscal imbalance is not about us in this place. It's about the people of Ontario and their fellow Canadians right across this magnificent country. They all deserve fair funding for the programs and services that matter most to all of us.

1430

**Mr. John Tory (Leader of the Opposition):** I rise to speak in support of this motion, which reaffirms the support of the Progressive Conservative Party for the principle of addressing the fiscal imbalance. Simply put—and I think the Premier said this in different words—a strong, viable and united Canada requires a strong, viable Ontario. I've also always been of the view—I think we all have—that a strong, viable Ontario requires a strong, viable and united Canada.

The interconnection between the strength of Ontario and the strength and unity of Canada is deep and important, and I believe must guide us both in the substance and in the tone of our approach to this issue. That is why, in building a consensus on the wording of this resolution, we asked for wording to be included that recognized the

constructive leadership role that Ontario has played in Confederation from the beginning, and I think it was an important inclusion.

Lorsque nous voterons pour cette résolution, je suis soulagé par le fait que nous ne voterons pas seulement pour l'avancement des intérêts de l'Ontario, mais également pour reconnaître le fait que nous avons une responsabilité spéciale et historique à travailler pour aborder les aspirations du Canada en entier. Ceci est bon pour le Canada ainsi que pour l'Ontario.

When we vote on this resolution, I'm comforted by the fact that we'll be voting not just to advance and support Ontario's interests, but also to recognize that we have a special and historic responsibility to work to address the needs and the aspirations of the rest of Canada as well, because that is good for Canada and because that too is good for Ontario.

That, of course, is the essence of the words contained in the last paragraph of the motion, namely that the ultimate resolution to the fiscal imbalance should be fair to all Canadians. To me, that means fair to the needs and aspirations of all of Canada, which must include an arrangement that is fair to Ontario and respects, concurrently, our needs and aspirations, as well as those of Canadians living in other parts of Canada.

We believe that the achievement of that fair result for all Canadians will require us, as a province, to conduct ourselves in a fair, constructive and straightforward manner in these discussions. I strongly believe that the fair and constructive putting forward of Ontario's case means we might have to look at doing a few things differently, and I put these forward in the constructive spirit of this debate.

First, I think we should be careful and conscious of the way in which we make our case. I genuinely believe that while we have to be clear on what we seek and what can work for both us and for all the rest of Canada, we must also recognize that Canada is a partnership, which means we have to persuade other partners to consider and ultimately to support our interests at the same time as taking theirs into account. We have to acknowledge and respect as well the needs and aspirations, for example, of our municipal partners.

A recent headline said, "McGuinty Discovers Diplomacy." While I would suggest that it doesn't rank up there with Banting or Columbus, it was a welcome discovery nonetheless and one that I believe should remain an important part of Ontario's approach going forward.

In the same vein, while we all understand the need to use numbers to make a point, they should be up-to-date numbers; they should bear some relationship to what we really seek to achieve in these discussions, so that people can distinguish between our positioning and our actual, defensible position as to what we think would be fair for the province of Ontario.

I base the following comment—and the preceding one, for that matter—on what we were told in the public service briefing we were provided with on this issue. They told us that the \$23-billion number often in use is



not up to date and confirmed that it's not the number we seek. I would suggest, just as an example, it's probably not a number we should continue to use.

Secondly, I think we should look back at the times when Ontario has been successful in the past in not just making a case, but in achieving real results for Ontario and for Canada. At those points in time, Ontario was a leader in putting forward thoughtful, professional proposals, which were meant to find resolution, not to identify conflict. We have the resources and we have the expertise in our public service in this province to put forward those kinds of proposals, and I think we should do so.

Third, I think we can go beyond having a debate on a resolution once in a while in this House and fully engage members of the Legislature on all sides to help formulate and put forward Ontario's case. I think it strengthens our case not to have it seen as one person's or one party's cause, but Ontario's cause.

Nation-building in Canada has never been easy. Why should we expect that it would be easy now to create something as unique and spectacular as we have in Ontario and Canada? It was a difficult challenge in the past, but it was done. So our party commits itself here today, yes, to doing our job as the official opposition to hold the government to account on this issue and on other issues, but at the same time never losing sight of our overarching responsibility to build and maintain a strong Ontario within a strong and united Canada.

**Mr. Howard Hampton (Kenora-Rainy River):** I'm pleased to participate in this all-party resolution today. New Democrats support a Canadian fiscal framework that treats Ontarians and indeed all Canadians fairly.

One year ago, my federal colleague Jack Layton used the vulnerability of a Liberal minority government to force amendments to the federal budget that made important gains in post-secondary education funding, housing funding, transit funding and funding for the environment for Ontario and for other provinces.

This is an issue which has some history. I think it's important to remember some of that history and to acknowledge what this is all about. In the federal budgets of 1994, 1995 and 1996, the federal government of the day and the federal finance minister of the day made substantial cuts to federal funding for health care, for universities and colleges, for social assistance and for training and adjustment, and severe cuts to employment insurance.

This hurt all provinces. All provinces across the country found it very difficult to fund health care and education at the post-secondary level. They found it especially difficult to look after their lowest-income citizens. It was grossly unfair to workers and especially unfair to workers who lost their jobs in Ontario. Every government since then, here in Ontario and across the country, has struggled to get the federal government to assume more of its share of the responsibility for important things like our health care system, our colleges, our universities, looking after our lowest-income citizens, and treating

workers fairly, especially when they've lost their jobs. We want to see the federal government assume today, and going forward, more of that responsibility that was cut in the federal budgets of 1994, 1995 and 1996.

I especially want to focus on the issue of employment insurance. In part, I want to focus on it because I hardly ever hear the Premier talk about employment insurance. But let me tell you just how unfair that system is to Ontario workers. Most people would be shocked to know that only 27% of the workers in Ontario today are eligible for employment insurance should they lose their jobs. Only 22% of the workers in the city of Toronto are eligible for employment insurance should they lose their jobs. That, to me, speaks of incredible unfairness. In fact, I'm told that Ontario workers contribute about \$1.8 billion more to the employment insurance fund than ever comes back to Ontario workers when they are laid off. I think that is terribly unfair.

I want to urge the Premier to start raising this issue, because I have not heard him raise this issue yet. You may have your differences with the current federal government and with the immediately past federal government, and those differences may go on for some time, but it seems to me there is an opportunity here to make a real difference for Ontario workers, many of whom have lost their jobs. We have lost 100,000 good-paying manufacturing jobs in this province over the last two years. Imagine the surprise of many of those workers when they find out that they're not eligible for employment insurance under the current system. Imagine the surprise of new Canadians who have come and who have worked and they find out that when they lose their job, they're not eligible for employment insurance.

We want to see some changes. That's why we are supporting this motion here today.

1440

**The Speaker:** Mr. McGuinty has moved:

That the Legislative Assembly of Ontario recognizes and affirms the importance of the province of Ontario continuing to play a constructive leadership role within Confederation, as it has done since 1867; and

That the Legislative Assembly of Ontario recognizes that the fiscal imbalance exists; and

That the Legislative Assembly of Ontario calls on the federal government to address the fiscal imbalance in a manner that is fair to all Canadians.

Is it the pleasure of the House that the motion carry? Carried.

## ORAL QUESTIONS

### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. Late on Friday, your government announced that it had purchased the principal piece of property in dispute in Caledonia. No purchase price was disclosed at that time.



We asked then, I understand we asked the Acting Premier yesterday, and now I will ask you: What was the price paid on behalf of the people of Ontario for that land? Reports have suggested the number may have been as high as 50 million in public taxpayers' dollars. Don't you think the public has the right to know this information? How much will the government be paying for this piece of land?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** We have undertaken to the vendor of the lands not to make that information public at this time. Of course, and I say this with sincerity, you can seek that information directly from the vendor, but it's my understanding that they're not prepared to make that information public at this point in time.

I think that there are heavier, more pressing issues weighing on the minds of Ontarians when it comes to the circumstances at Caledonia. I think they can take some heart and comfort in knowing that we are making some real, measurable progress in getting barricades down and providing yet more financial assistance to the community.

I know that Minister Cordiano visited the community again just yesterday, I believe. I had a chat myself with the mayor of Haldimand county last week. We are working together, all parties involved, and, I can say—and I say this with some pride—hand in hand with the federal government every single step of the way as we continue to seek a peaceful resolution.

**Mr. Tory:** I would agree with the Premier that there are some higher principles that are at stake down there. There's been discussion we've had here about the rule of law. But there's also the important principle of accountability.

I think the people of Ontario deserve to know how much this part of the Caledonia episode will cost them. They deserve to know what the price tag is. It is not your money; it is the public's money that we're dealing with here. It belongs to them and it is managed in trust by you and by your ministers on their behalf. As a result I would argue, and we would argue, that you have no right whatsoever to keep this information from Ontarians.

You're hiding, as you said in your answer, behind the supposed request to keep this secret made by the seller for supposedly competitive reasons. I would ask you: Since when did the competitive concerns of a particular business in Ontario—the seller of land—override the public interest in knowing about the expenditure of millions of their dollars? I would ask you, will you ensure that this information is immediately made available even if you have to ask the seller—you're the Premier of Ontario—if they will agree to have this information made public, in the public interest?

**Hon. Mr. McGuinty:** No, I will not give an undertaking. Let me quote from a news release put out just recently by Henco Industries Ltd., the people who own the land. When they were informed that we were going to work with them on an agreement to purchase the land, they said:

"We are encouraged by this news. We appreciate the good-faith negotiations on the part of the province to resolve our issues over the native occupation of our property since late February. We're also pleased that the government is continuing discussions with the builders who purchased lots in our subdivision, is providing additional funding to help local businesses in Caledonia, and has committed to help residents most directly affected by the current situation as well as the community at large."

We are working, and we are working well with the community, with the affected parties to resolve this in a manner that is peaceful.

**Mr. Tory:** No one is taking issue with what can be done to resolve the issue in a peaceful manner. But I'd say, with respect, sir, that if the landowners were insistent that in the case of a multi-million-dollar deal the details remain secret, you should have said to them, "We cannot negotiate in that manner because we are dealing here with public money and with the important principle of accountability to the public. There has to be transparency and openness about this magnitude of public dollars."

It is estimated, as I said earlier, that this could cost as much as \$50 million, and that's before you take into account what you yourself mentioned a moment ago: namely, the purchase of other properties. Your own minister responsible for aboriginal affairs said that this won't be the last of these kinds of deals that are made going forward, and I think that makes it more important than ever that we know what the first deal cost.

Will you commit that you will not enter into any land negotiations in respect of any of these claims whatsoever, including any more on this one, where you will not put the principle of openness and transparency and public disclosure—

**The Speaker (Hon. Michael A. Brown):** Thank you. The question has been asked. Premier?

**Hon. Mr. McGuinty:** The principals behind that company are two local brothers from the community who put, I think, their life savings in this project. I thought the members opposite would have wanted to champion some local interests in that regard, but obviously they're taking a different tack.

Let me tell you what else was put out last week by way of a release from Haldimand county: "Haldimand county is pleased with the announcements made today by Economic Development and Trade Minister Joe Cordiano, minister responsible for aboriginal affairs David Ramsay, and Municipal Affairs and Housing Minister John Gerretsen, publicizing the expansion of the financial assistance program for businesses in Caledonia, financial relief for residents directly impacted by the situation in Caledonia ... the acquisition of the Douglas Creek Estates property by the province of Ontario."

"Haldimand county appreciates the measures announced today. These positive steps will greatly assist in the implementation of the recovery phase, not only for



the community of Caledonia but for all of Haldimand county.”

### ENVIRONMENTAL BILL OF RIGHTS

**Mr. John Tory (Leader of the Opposition):** My question again is for the Premier. I point out that not one of those people thanked you for keeping the purchase price secret that was paid for with their money.

Premier, you were once quoted as saying, “I think it’s perfectly clear that this minister has not assumed her own special responsibility, and that is to advance the cause of the environment at the cabinet table. It is apparent that nobody on that side of the House has assumed that responsibility, but there is only one person in particular who is charged with that responsibility, and that’s the minister herself.” That was you talking about a previous Minister of the Environment.

Premier, what specific efforts were made by your Minister of the Environment, in dealing with your latest energy scheme, to ensure that the Environmental Bill of Rights was upheld and complied with? What efforts were made by her in those discussions?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Let me tell you a little about the process we’ve instituted here, and that was already under way with respect to our energy plan, by way of public consultation.

Leading up to the development of the plan, there were Ontario Power Authority public hearings last year; that was the first opportunity for the public to participate. Our government then led town halls in 12 communities; that was a second opportunity to participate. We also provided a listing on the Environmental Bill of Rights registry; we’ve received responses there. We set up an energy ministry website as well, seeking advice from the public there; that was the fourth opportunity. We’re now going to send this plan to the Ontario Power Authority, which is going to develop the integrated power supply plan. They will be meeting with groups in the public throughout the summer and the fall; that’s the fifth opportunity for public input. The OPA will then send this plan to the Ontario Energy Board, which is a process that takes about one full year; that will be the sixth opportunity. Then each and every project that’s to move ahead by way of new generation will be subject to an environmental assessment.

Those are seven separate opportunities for Ontarians—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Tory:** I would say to the Premier that that’s a very interesting compendium of meetings, many of which the public didn’t even know how to find, but which had nothing to do with the question, which is what efforts your Minister of the Environment made, who has sworn to uphold the environment as her responsibility, and which you pointed out, when you used to talk about this in opposition, was her responsibility. What did she

do to uphold and to put forward the law, the Environmental Bill of Rights and its requirements in particular?

1450

Yesterday, the Environmental Commissioner of Ontario, an independent and respected officer of this Legislature, berated your government for “escaping its responsibility to be transparent and accountable” and went on to say that no government in the 12-year history of the Environmental Bill of Rights had tried to pull the type of environmental skulduggery that your Minister of Environment has allowed to happen here.

Premier, the Environmental Bill of Rights is one of the most important foundations of the Ministry of the Environment. Your job, and that of your minister, is to uphold that law and to respect that law. Why did you, instead, allow yourself to be bamboozled into skirting that law, and why would your own Minister of the Environment not have objected to this side-stepping of the law? Why didn’t somebody speak up for the Environmental Bill of Rights in the process you just talked about but where you didn’t answer my question? Why did nobody speak up for the Environmental Bill of Rights?

**Hon. Mr. McGuinty:** Again, the leader of the official opposition is having difficulty with the fact that he’s staring into the face of a government that is determined to move ahead with a new plan for energy to ensure that by 2025 we have safe, clean, reliable electricity. He wants us to freeze in our tracks.

We’ve created seven separate opportunities for Ontarians to comment. We think there is ample opportunity, in the past, today and going into the future, with respect to making sure we get this plan right. The members opposite, somehow, for some reason—notwithstanding the fact that we find ourselves behind the eight ball in Ontario—are determined to grind this to a halt. We are bound and determined to move ahead. There are seven separate opportunities for public comment. We think that is more than adequate.

**Mr. Tory:** There’s still no answer on the Environmental Bill of Rights, and the province of Ontario is frozen in its tracks because of the weak leadership that began with irresponsible promises you made in the 2003 election. Now, the lack of respect for the Environmental Bill of Rights is simply another example of you and your government saying one thing before the election and doing exactly the opposite after—

*Interjections.*

**The Speaker:** Stop the clock. Order. I’m having great difficulty hearing the Leader of the Opposition.

**Mr. Tory:** One day, you’re a steward of the environment and the next day you’re finding ways, with your dithering and broken promises and so on, to skirt the law of the land.

The former Minister of the Environment, Leona Dombrowsky, wrote in an editorial in 2004 that the Environmental Bill of Rights is “one of the most effective pieces of legislation in Canada” and that “it has done more than just enshrine environmental values in legislation; it has given citizens the means to make their voices heard.” She goes on from there.



As with my previous question on Caledonia, what do you and your government have against transparency, accountability and openness? Why are you not prepared to be open with the taxpayers of Ontario? Why are you and the Minister of the Environment now ignoring and side-stepping the law in terms of what was required of you to do in this instance under the Environmental Bill of Rights? Why were you a big advocate for the environment before the election and now, any chance to skirt the law, that's what you find? Why the switch?

**Hon. Mr. McGuinty:** It is just a little bit rich to hear from the leader of the official opposition, representing a party which seemed to go to great lengths in government to absolutely decimate the Ministry of the Environment. We picked up that Ministry of the Environment, got it off the ground, onto its knees, on its feet and back in the race. We are proud of the recovery effort we made to the Ministry of the Environment. I'm proud of my Ministers of the Environment, whether they were Jim Bradley, Leona Dombrowsky or Laurel Broten. When it comes to the environment, I'll put our record up against that previous government's record any day. Seven separate opportunities to comment on our plan—we look forward to moving ahead with that plan and receiving those comments.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Minister of the Environment. Minister, yesterday, Ontario's Environmental Commissioner, an independent, respected, neutral, third-party environmental advocate who is appointed by all of us here in the Legislature, said that you, as Minister of the Environment, were involved in an unprecedented violation of Ontario's environmental laws. The Environmental Commissioner said that you, as minister, breached the legal requirement of Ontario's bill of rights when you, the minister, secretly exempted the McGuinty government nuclear mega scheme from a provincial environmental assessment. You failed under the Ontario Environmental Bill of Rights.

My question, Minister, is this: Will you stand up and admit that what you did is wrong, rescind the secret exemption, guarantee that the \$40-billion nuclear mega scheme will go before a thorough and proper environmental assessment under the laws of Ontario, and comply with Ontario's Environmental Bill of Rights, the law of Ontario?

**Hon. Laurel C. Broten (Minister of the Environment):** As Minister of the Environment, I want to be very clear with Ontarians. Every single project that will be built in this province, as we do what those governments before have not done and build a new supply of clean, green energy, will be the subject of an environmental process. That process will take place in their community. They will be able to participate in that process, have their voices heard, raise their issues and concerns, participate close to home, talk about those issues, and not a single

project will be built in this province if I have any concerns that the health or the environment of Ontario is at risk. That's my commitment to the people of Ontario. That's our obligation: to lead forward to a future without coal, to get windmills built, to get new power supply on-line, and protect the environment at the same time.

**Mr. Hampton:** Minister, you can refer to all kinds of issues outside of answering the question, but here's the reality. On June 14 in this Legislature, you said there was no legal requirement in the Environmental Assessment Act of Ontario for the McGuinty nuclear mega scheme to undergo a provincial environmental assessment. But even as you spoke the words here in the Legislature, you had signed a secret exemption order on June 12 to enable the McGuinty nuclear mega scheme to escape the legally required provincial environmental assessment, and at the same time you shirked your responsibility to notify the people of Ontario about your secret regulation, about your secret exemption, even though it's the law of Ontario under the Environmental Bill of Rights that you do so.

Minister, you have broken and undermined Ontario's environmental laws, not once but twice. How can you—

**The Speaker (Hon. Michael A. Brown):** The question has been asked, Minister?

**Hon. Ms. Broten:** I'll repeat to my friend opposite what I have said in the past. We have been entirely consistent in our approach to this subject matter. Broad government policy direction is not the appropriate subject matter of an environmental assessment. That's the decision I made with respect to the coal replacement plan. You didn't have any concerns about that. That's the decision that has been made with respect to the integrated power supply plan, which will be a reflection of that broad government policy.

What will be the subject matter of very vigorous environmental assessment will be every single project that might or might not be built in this province. At the same time, we have put forward a requirement on the OPA and the OEB to consider the environment as they make their decision with respect to a long-term supply plan. They will look at rationale. They will look at needs and alternatives. They will raise the issues of the environment as we build a new, clean, green supply of energy. The regulations put in place are simply to confirm the decision and the position—

**The Speaker:** Minister. Final supplementary?

**Mr. Hampton:** You talk about the Ontario Power Authority. The OPA has already made up their mind on both nuclear and coal. That's like saying that you, as Minister of the Environment, turn it over to the fox to look after the chickens in the henhouse. They've already made their decision. They're pro-nuclear; they're pro-coal.

Here's the absurdity of your position, as quoted today in the press. You said that the government chose a step of including by way of designation to exclude. It makes no sense at all. Here's the reality. The Environmental Commissioner doesn't have to kowtow to Dalton McGuinty to



keep his job. He's independent and he's respected. He said you undermined Ontario's Environmental Assessment Act and you failed to comply with Ontario's Environmental Bill of Rights. You have failed as Minister of the Environment. When are you going to do the honourable thing and resign?

1500

**Hon. Ms. Broten:** I know it's very confusing to my friend opposite, but the law is very clear: Broad government policy is not the subject matter of an environmental assessment. In order to confirm that decision and make it very clear, as I indicated—again, apparently very confusing—we had to designate it in order to exclude it.

That being said, our position has been absolutely consistent. The regulation is administrative in nature. What it says to Ontarians who may want us to change the law is that we are confirming the law. We will apply the law and we will continue with the law that exists in this province. We will have an environmental assessment of every single project that is going to be built in this province, and we will ensure that Ontarians are protected as we build a new future, with 10 times the conservation we have at present, double the renewables, less greenhouse gases, less mercury and less pollution going into the environment. That's the future I want for my kids, and we're moving toward that future.

**The Speaker:** New question. The leader of the third party.

**Mr. Hampton:** My question is to the Premier. I don't think Ontario's Environmental Commissioner is confused. He knows what's going on. This is really about your leadership and your standards as Premier. Maybe you believe that watering down Ontario's environmental laws is acceptable. Maybe you believe that signing an order in secret, in the backroom, to escape a proper Ontario environmental assessment is acceptable, but I think the majority of people in Ontario don't think it's acceptable at all. And maybe you believe that an environment minister who undermines and breaks Ontario environmental laws deserves to be in your cabinet, but I don't think people across Ontario believe that.

Premier, they're your standards. Do you believe that someone who undermines Ontario's environmental laws, who breaches Ontario's Environmental Bill of Rights, can continue as your Minister of the Environment?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Again, I'm pleased to inform the leader of the NDP, and to confirm for the people of Ontario, that throughout this procedure—we're talking about building new nuclear reactors here; that takes 10 years—there are going to be seven separate opportunities for the people of Ontario to comment on this plan. We think that's ample opportunity to get the very best advice and to allow our public to lend shape to this plan so it's the best it can possibly be.

What this is really all about is that the leader of the NDP is opposed to the construction of any new generation in Ontario. That's what it's all about. We are charged with a special responsibility on this side of the

House, which is to keep the lights on, and we will do what it takes to get that done.

**Mr. Hampton:** Here's what it's about: It's about a Premier who is desperate to have his \$46-billion nuclear mega scheme escape any kind of proper environmental assessment in the province. It's about a Premier who likes to give speeches filled with platitudes about the environment, but who isn't prepared to follow Ontario's own environmental laws.

Here is what the Environmental Commissioner said: "This is the first regulation under the Environmental Assessment Act that has not been posted on the Environmental Registry for public review and comment in the 12-year history of the Environmental Bill of Rights. This decision goes against the whole principle of government accountability and transparency enshrined in the act."

Premier, is that acceptable conduct for a Minister of the Environment in your government? Is that acceptable conduct for the McGuinty government?

**Hon. Mr. McGuinty:** It's interesting to note that the regulation which the leader of the NDP is commenting on was posted on the public website for regulations. That's where he found it. There's no particular secret there. That regulation was passed in cabinet. It's not a secret room. It's not a secret process. That's where it was done.

Again, I think what this is really all about—and we need to be up front about this—is that the leader of the NDP is intent on doing whatever he possibly can—he has been pretty straightforward about this until now—to ensure that there's no construction of new generation in Ontario, ever. I understand that. That's his position. He thinks that is progressive; I see it as antiquated. We have a different sense of the future here. We think that we've got a responsibility to make sure we have a plan in place, which we now have in place, to ensure that the people of Ontario, through to 2025, have a reliable supply of clean, safe, affordable electricity. And that's what we're doing.

**Mr. Hampton:** Premier, this is about a Dalton McGuinty who doesn't want his nuclear mega scheme to go before a proper Ontario environmental assessment, where the people of Ontario might be able to suggest some positive alternatives rather than building risky, expensive and unreliable nuclear plants. This is about a Premier who's looking for a place to hide.

I want to quote a question that was asked: "I think it's perfectly clear that this minister has not assumed her own special responsibility, and that is to advance the cause of the environment at the cabinet table.... It's apparent that there's nobody over there taking any interest in preserving our environment, and we're going to pay for that for a long time to come." Premier, those are your words. Those are the standards you set in opposition.

I'm asking you now, Premier: Is it acceptable for you, Dalton McGuinty, to have a Minister of the Environment who not only undermines the Environmental Assessment Act but disobeys—

**The Speaker:** The question has been asked. Premier?



**Hon. Mr. McGuinty:** Just on one front, to give you some indication of what this particular Minister of the Environment has accomplished for the people of Ontario so far: She has reduced reliance on coal by 17%, reduced sulphur dioxide emissions by 28%, reduced nitrous oxide emissions by 34%, reduced carbon dioxide emissions by 15% and reduced particulate smog emissions by 28%.

Again, I accept that the leader of the NDP will do everything he possibly can to ensure that our province and this economy do not have the benefit of a clean, safe, reliable supply, long into the future, of electricity. I understand that. That is his position. On the one hand, he talks about the loss of manufacturing jobs, he talks about the problem of getting reasonably priced electricity, but on the other hand he will not support us in our efforts to ensure we have those kinds of things in place.

We have a plan in place now. We've submitted it to the Ontario Power Authority. There will be seven separate opportunities for Ontarians to comment on the plan, and we look forward to moving ahead with our plan.

#### BAIL VIOLATIONS

**Mr. Robert W. Runciman (Leeds–Grenville):** A question to the Premier: Yesterday, CTV News reported a story about the significant number of individuals living in our midst out on bail charged with very serious crimes, including murder. The report specifically referenced two men, Sammy Bellissimo and Andrew Khan. Khan is accused of killing a man and shooting a 16-year-old witness to the crime, and Bellissimo was the focus of a six-year manhunt for another shooting. Premier, do you think bail for people with this kind of record is appropriate?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Community Safety.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I'm sure the former Solicitor General knows the process. The bail that is set is set in the courts. That is a judiciary responsibility. We have no input into it whatsoever. That is something that is done, as he well knows, and if you have a concern with that, you should take it up with the judiciary.

**Mr. Runciman:** We'd better get the blackboard out for the minister. You have very significant involvement through the Attorney General, who's a minister of the crown. You can oppose bail, and if a decision is made for bail, you can appeal that decision.

Premier, according to CTV, some of the accused in the Boxing Day shooting death of Jane Creba were also out on bail. Stats Canada states that there were over 100,000 bail violations in 2004. The courts can't tell us how many accused gunmen and sex offenders are walking the streets right now.

Minister, do you agree that the crowns have to get tougher on bail applications for violent and dangerous offenders, and if so, how and when is your government going to get tougher?

1510

**Hon. Mr. Kwinter:** The judge determines what the disposition of the case is going to be. I also have to caution the member to know that these people are accused; they are not convicted. The judiciary makes that decision—

*Interjections.*

**Hon. Mr. Kwinter:** Oh, I would ask you, I would ask any of the members, I'd ask the Leader of the Opposition, who is a lawyer: Would he be in a position to determine, before someone has been absolutely convicted, what the disposition should be? This is something that is determined by the judiciary, and if you're asking me to interfere with the judiciary, that is something that I'm not prepared to do.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. Here's the situation that your nuclear mega scheme now presents to the people of Ontario. Shawn-Patrick Stensil of Greenpeace says, "What are they trying to hide? A good plan could withstand scrutiny." Dr. Mark Winfield of the Pembina Institute says, "The government is attempting to deny Ontarians their right to know the real costs and risks associated with the government's electricity plan." Keith Stewart of the World Wildlife Fund says, "Premier McGuinty is telling Ontarians they have to pick their poison—coal or nuclear—while ramming through a plan that forces us to accept both."

You've been trying to avoid a proper Ontario environmental assessment. The question I have, Premier, is: Now that you've got your Minister of the Environment undermining our environmental laws and breaching some of our environmental laws, don't you think it's better, more open, more honest and more transparent to just obey Ontario's environmental laws rather than trying to hide from them?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I can understand why the leader of the NDP would have Ontarians believe otherwise, but in fact there's going to be an environmental assessment for our specific projects. I think he's very much aware of that, but somehow he would have us believe otherwise.

That's just the culmination of a series of opportunities, and I listed them earlier. The environmental assessment on a project basis will be preceded by six separate opportunities for Ontarians to have a say and to have comments.

Putting up a new nuclear reactor would take 10 years. Again, I understand that the leader of the NDP is dead set against more nuclear energy in the province of Ontario. I understand that; I accept that. But on this side of the House, we are charged with making sure that we keep the lights on; making sure that we put in place a plan to ensure that we have a reliable supply of clean, safe, affordable electricity. That's what we are doing.



**Mr. Hampton:** Premier, you can try that line on people; the fact is, it takes 10 years to build nuclear plants, so building nuclear plants over the next 10 years is not going to do anything to keep the lights on this summer or next summer or the summer after that. This is about your attempt to hide from Ontario's environmental protection laws.

This is what Jack Gibbons of the Ontario Clean Air Alliance says. He calls your scheme "a huge betrayal." Dr. Rick Smith of Environmental Defence says, "The government [is] sucking up to the nuclear industry acolytes, coal barons, [and] well-heeled development lobbyists." Rick Lindgren of the Canadian Environmental Law Association says, "The Ontario government knows that the provincial energy plan is unlikely to survive the rigorous scrutiny and public interest test under the" Environmental Assessment Act.

Anybody who knows anything about the history of cost overruns at nuclear power plants in Ontario knows what you're trying to do here. You're trying to escape the law; you're trying to hide from Ontario's environmental laws. Premier, why don't you stop the manipulation? Why don't you just submit—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Premier?

**Hon. Mr. McGuinty:** If we are so determined to keep this from public view and to do this under cover of darkness, then why is it that we have been so public with our plan? Why is it we're talking about ensuring that we meet the energy gap that's going to arise between 2014 and 2025? We're talking about that today. There are at least two elections between now and 2014. We don't have to proceed with this plan at this point in time, but we are because we feel a responsibility to do so.

The leader of the NDP would have us shy away from this indefinitely. I can tell you that when I have the opportunity to travel on behalf of Ontarians outside this province, one of the pieces of information that members of the investment community are looking for is, "Will you have a long-term, reliable supply of clean, safe, affordable electricity?"

We are taking this on. The leader of the NDP would prefer that we not do that. He prefers to bury his head in the sand, as did the previous Conservative government. We are going to take this on. We are going to have this debate. It will surely be a most important part of the election, but we will move forward in Ontario with a good plan for safe, clean, reliable electricity.

#### EDUCATION FUNDING SUBVENTIONS DESTINÉES À L'ÉDUCATION

**Mr. Bruce Crozier (Essex):** My question is for the Minister of Education. Since coming to office, our McGuinty government has increased per pupil funding by almost \$1,600. That's 21% above the previous government's per pupil funding—a 21% increase in just three years.

Our government has made education one of its main priorities. We're taking steps to ensure that primary class sizes keep shrinking; reading, writing and math achievements keep improving; and more students graduate from school.

Minister, you've said yourself that the bigger the investment we make in education, the bigger responsibility we have to the people of Ontario. Can you explain to the House how our government's recent \$17.4-billion new grants for students' needs investment will show that we take our responsibility to the people of Ontario seriously?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I'm very happy that this member from the great riding of Essex and I had an opportunity last week to announce new schools for the county of Essex, and in particular the schools that this member has been working on for a long time: Maplewood and Sun Parlor. Congratulations to all of those families and schools.

On this \$17.5-billion investment, you know that we are focused in particular on lowering class sizes: 1,300 more teachers for that smaller class size and 300 more student success teachers to move those students through to high school. We're proud of our investment and we know it's making a difference for families.

**The Speaker (Hon. Michael A. Brown):** Supplementary?

**Mr. Phil McNeely (Ottawa—Orléans):** Minister, I believe that these education initiatives will be successfully implemented; that they will have a positive effect on the students in my riding and the entire education system of Ontario.

Our Liberal government realizes the unique challenges that French-language school boards face in helping students succeed. Minister, can you please tell me what our government is doing to ensure the quality of French-language education and the success of French-language students?

**L'hon. M<sup>me</sup> Pupatello:** J'étais très contente d'être dans votre circonscription lundi pour rencontrer les écoles là, spécialement pour faire l'annonce de 34 \$ millions pour les conseils scolaires de langue française.

Je suis heureuse aussi de voir les augmentations de tous les examens de ces élèves. Je suis fière de ça. Je sais aussi que le gouvernement McGuinty veut faire beaucoup plus pour tous les conseils scolaires de langue française.

In particular, we know that a \$10-million announcement especially focused on these early years will help the retention rate of our French-language students. This is particularly important to this member, who sees the kind of growth that we have in these French-language boards. So we're proud of our investment, and we intend to do more.

#### NIPISSING UNIVERSITY

**Mr. Cameron Jackson (Burlington):** My question is to the Minister of Training, Colleges and Universities. Tens of thousands of students received confirmation



letters all across Ontario in April of this year, and some as early as March. In fact, at the faculty of education at Nipissing University, over 1,200 acceptance letters were sent out and over 900 students from Ontario accepted the offer from that university. The problem is that there are just under 700 spaces available to these students. Therefore, approximately 250 students are sitting there with a full acceptance and yet unable to find a space at that university.

Minister, are you aware of the magnitude of this situation at Nipissing, and is there anything that you're doing on behalf of those students?

1520

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** The McGuinty government record in terms of access to post-secondary education is unrivalled, if I can put it that way. In the last three years, 75,000 new spaces have been created in programs of post-secondary education throughout the province. For the last couple of years, we have actually funded an additional 1,000 spaces for teacher education at various institutions around the province of Ontario—an additional 1,000 over and above what the institutions fund themselves.

What we have to make sure of is that, in providing access to teacher education, there be some relationship between the number we accept and fund for the spots and the opportunities available in the school boards in Ontario. We're having that conversation with the Minister of Education and her people at this very time. But we are pleased to be supporting Nipissing and all of our other post-secondary education in encouraging more students and making sure those students are properly and fully funded at our Ontario institutions.

**Mr. Jackson:** Minister, you seem to be completely unaware of the magnitude of the problem at Nipissing. In fact, Nipissing responded by sending out a letter to the first group of students who were contacted, and they culled the herd by choosing them by their postal codes, where they lived in Ontario. They said to them, "Would you be interested if we set up a satellite campus in Brantford?" They didn't get a response from that, so then they offered them a guaranteed admission in two years if they would agree not to go to university this year. Then they got a third letter, which recommended, "Would you be interested in a two-year plan, taken part-time, to get your bachelor of education?" And finally, with five days, they said, "If you'd like a full refund, you've got to notify us immediately."

Minister, on behalf of the students who have contacted me, I'll read the question they want to raise: "Given that these students who accepted to Nipissing have missed the deadline to any other post-secondary institution in our province, is the student entitled to request that Nipissing and your ministry find them a suitable spot in another facility?"

**The Speaker (Hon. Michael A. Brown):** Minister. The question has been asked.

**Hon. Mr. Bentley:** I thank the member very much for raising the specific issues for me today. It's the first time

I've heard of them, and I will certainly look into them. But I have to say again, the Nipissing campus in Brantford has been in existence for a number of years. In Brantford alone, we now fund more than 2,400 students for post-secondary education programs—Nipissing, Mohawk and Laurier—whereas, five years ago, there were none. Access to teaching education opportunities in the province are at very high levels. We have been funding an additional 1,000 for the last couple of years, over and above the levels the institutions otherwise believe are appropriate. There are many opportunities for students in post-secondary education, including teacher training, in the province of Ontario. The fact of the matter is, we're doing as much as ever before. We'll continue to do as much as we can. We'll look into the specifics and are encouraging all students to access post-secondary education opportunities in the province of Ontario, because that's where the future jobs are.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Peter Tabuns (Toronto-Danforth):** My question is for the Minister of the Environment. Minister, on June 14, I directly asked you when you would announce the provincial environmental assessment of the McGuinty government's energy supply mix plan, as required under the Ontario Environmental Assessment Act. You replied "that broad government policy, abstract in nature, is not subject to the Environmental Assessment Act." Yet two days earlier, on June 12, you signed this cabinet order creating regulation 276/06, exempting the McGuinty government's energy supply mix plan from a provincial environmental assessment. You exempted it from requirements for thorough public scrutiny. Minister, will you admit you failed to do your job, which is to protect the environment, and that you caved to the Premier and the energy minister?

**Hon. Laurel C. Broten (Minister of the Environment):** My position has been very consistent throughout, and I repeat what I said to you on June 14: that broad government policy direction is not the appropriate subject matter of the environmental assessment. What is the appropriate subject matter of environmental assessment are specific projects. This is the same position that the ministry had with respect to the coal replacement plan, the same decision that the ministry had with respect to the IPSP. It's consistent with the Electricity Act and it's consistent with the Environmental Assessment Act.

Some may want us to change the Environmental Assessment Act. The regulation that cabinet has put forward clearly indicates that we are going to uphold and apply the law. For your information, we are not going to change the law. That's why the decision is an administrative one in nature. We're not seeking consultation on a proposal to change the law, but rather indicating a clear and consistent—we have had the same consistent position throughout. We are going to apply the Environmental Assessment Act, an act which does not apply to broad government policy.



**Mr. Tabuns:** Minister, you knew full well when you answered my question that the Ontario Environmental Assessment Act applied and that you had already moved to exempt the energy supply mix plan from a provincial environmental assessment. Minister, you lied to this House. When—

**The Speaker (Hon. Michael A. Brown):** I need you to withdraw that comment.

**Mr. Tabuns:** No.

**The Speaker:** I'll give you one more opportunity to withdraw that comment.

I name the member, Mr. Tabuns.

*Mr. Tabuns was escorted from the chamber.*

*Interjections.*

**The Speaker:** Order. New question.

**Mr. Howard Hampton (Kenora-Rainy River):** It's clear on the record. It's right there in Hansard.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: The leader of the third party used the term "The minister lied in the House." I think he should withdraw that.

**The Speaker:** I did not hear the member say that, but if he did, he should withdraw.

**Mr. Hampton:** I said it's on the Hansard record, Speaker.

*Interjections.*

**The Speaker:** I did not hear it, so new question.

*Interjections.*

**The Speaker:** Stop the clock. Order. The leader of the third party will come to order. New question.

#### GLOBAL SUPPLY MANAGEMENT

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** My question is for the Minister of Agriculture, Food and Rural Affairs. As you know, the supply management sector of our agriculture industry has proven itself to be an effective way of ensuring that farmers earn a stable, profitable income and that Ontario consumers have access to high-quality product at a fair price. Over the weekend, I met with dairy farmers from the eastern-gateway-to-Ontario riding, Glengarry-Prescott-Russell. They want their elected representatives at both the federal and provincial levels to continue to defend the interests of farmers dependent on supply management. Recently we heard from other Canadian jurisdictions that supply management is a hindrance at current international trade negotiations. Minister, what is our government doing to protect the interests of supply management producers?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm so very pleased that the member from Glengarry-Prescott-Russell, who is a tireless advocate for farmers in his region, has asked the question. It gives me an opportunity—

*Applause.*

**Hon. Mrs. Dombrowsky:** Yes, he is.

It gives me an opportunity to remind the members of this House that, as an assembly, all three parties in

December supported the supply management system of operation in the agriculture industry in Ontario. I had the privilege of advocating that position in Hong Kong. However, negotiations at the World Trade Organization talks were not able to conclude. We have now been called to Geneva, as ministers of agriculture, along with our federal minister, to again ensure that the interests of the agriculture industry with respect to trade talks are considered and protected at these very important negotiations. So I can commit to the honourable member that our government will be there to ensure that the interests of all agriculture sectors, certainly including supply management, will be vigorously defended so that, going forward—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

1530

**Mr. Lalonde:** Thank you, Minister. Farmers in my riding, and indeed across Ontario, will be reassured to know that our government is strongly defending their interests. They do not want to see our supply management system become a bargaining chip. It must not be negotiated away.

We all know that last December, you and Minister Bountrogianni were in Hong Kong defending the interests of our farmers. They surely recognize the work that you have done. Minister, what do you expect to accomplish at next week's Geneva WTO meeting?

**Hon. Mrs. Dombrowsky:** There will be three key points that will be of concern, of interest, that our province is going to advocate for. First of all, we're going to advocate for improved market access for Ontario agriculture products. The second issue we're going to address is with respect to domestic subsidies in foreign countries that have created an unlevel playing field for farmers in the province of Ontario. The third issue that we're going to vehemently defend is the supply management system.

We are looking for a balanced agreement with all of the 150 nations that are participating in the World Trade Organization talks. We don't believe we should be sacrificing one of the very important issues, a sensitive products issue, the supply management issue, in order to gain more market access. We're looking for balance. That's what our goal is in going there. We know that there are many other provinces in Canada that will be working with us, along with our federal minister—

**The Speaker:** Thank you. New question.

#### BAIL VIOLATIONS

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. The member for Leeds-Grenville did not ask your Minister of Community Safety to declare anyone innocent or guilty, and I'd like to try again on what he did ask, because we got no answer for that particular question.

What he did ask: Is your government, which is responsible for representing the people of Ontario in court



on bail applications, prepared to get much tougher when it comes to opposing and then appealing, if necessary, decisions with respect to bail involving people accused, especially, of serious violent crimes? The people of this province don't want to see these people accused of serious violent crimes sipping martinis on their sun porch, out on bail. Is your government prepared to get tough on this, oppose more of these applications, and appeal them when necessary to send a message that we are not going to have these people out any more often than necessary while they're awaiting trial on these serious crimes?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Community Safety.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** The point of my answer is this: An accused appears in court with a defence lawyer, and the crown is there to present the crown's case before a judge. If the bail hearing is held in such a way, obviously the defence is going to want the least bail and the crown is going to want the most bail, in most cases. So I would suggest that those arguments are made before a judge and the judge makes that determination. If you're saying that we in some way should interfere with that process, I'm saying to you that that is not the role for politicians to play.

**Mr. Tory:** To be clear, we're not suggesting that you go and take the position on the least or the most. We're suggesting that in some of these cases, where people are accused of serious violent crimes, you go and oppose any bail at all and say these people should be kept in custody pending their trial.

In the very same report carried on CTV, they said there were tens of thousands of bail violations in Ontario, out of a total of 100,000 across the country. Will you agree with me that the notion that you can have tens of thousands of people wilfully violating their bail conditions when they are granted bail is a disgrace, and that your government, the McGuinty government, is going to do something about this to send a message saying that, "When you do get bail, we take the conditions seriously and we're not just going to let you laugh it off and treat it like it's some kind of joke"? Are you going to get serious about this or not?

**Hon. Mr. Kwinter:** The Leader of the Opposition is giving anecdotal examples, and I can't really respond to specific cases. All I can say to you is this: In the system that goes forward, the crown, if they feel very, very strongly, will make that case. They will make the case before the court that this bail should not be granted. The final determinant as to whether they succeed or not is in the judiciary, and we have no ability to tell that judge how he should respond to the crown's appeal.

## ENVIRONMENTAL BILL OF RIGHTS

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Premier. This is what Ontario's

Environmental Commissioner has to say: "The Environmental Bill of Rights requires ministries to post on the Environmental Registry any proposed new regulation that will have a significant effect on the environment—before the regulation is passed—to allow the public a meaningful opportunity to review and comment on the proposal."

Your proposal is for a \$46-billion nuclear scheme. Is it your position, Premier, that your government's \$46-billion nuclear mega scheme will have no significant effect on the environment and therefore didn't need to comply with the Environmental Bill of Rights?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Clearly, the leader of the NDP considers seven separate opportunities for public comment to be less than adequate. I know that he in fact would not be happy with 70 separate opportunities for the public to comment because he remains adamantly opposed to putting in place any new kind of generation in the province of Ontario. We see things differently. I expect that we will continue to have this important debate through the campaign and beyond.

I just want Ontarians to know where we're coming from on this particular matter. We are mindful of our special responsibility in government to ensure that we have in place a plan that will, long into the future, ensure that Ontarians have access to safe, clean, reliable electricity. We will do what is necessary, again while being mindful of our responsibility also to ensure that Ontarians have continuing opportunities to have input into that plan.

**Mr. Hampton:** I'd be happy, and I think the majority of Ontarians would be happy, if the McGuinty government would just obey the law of Ontario.

I want to quote again the Environmental Commissioner: "This is the first regulation under the Environmental Assessment Act that has not been posted on the Environmental Registry for public review and comment in the 12-year history of the Environmental Bill of Rights. This decision goes against the whole principle of government accountability and transparency enshrined in the act. Exempting the province's long-term electricity plans from the environmental assessment process—to consider the possible impacts of those plans—is clearly environmentally significant and should have been posted on the registry for public comment." That's the Environmental Commissioner, a neutral advocate to ensure that Ontario's environmental laws and processes are observed.

Premier, do you think it's acceptable for your government to break not only the Environmental Assessment Act but the Environmental Bill of Rights?

**Hon. Mr. McGuinty:** To the Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** The Environmental Commissioner and I had an opportunity to have a discussion today and for me to indicate to him that, yes, there is a history of precedent in this province: 21 times, regulations have been posted for

information only. And they've been regulations like this one, regulations where we're confirming that we will apply the law, that we are not proposing to change the law. It's as simple and straightforward as that.

That being said, in light of a very good discussion with the Environmental Commissioner—and I'm aware of his indication yesterday that he'd like Ontarians to have yet another opportunity to review and comment on the regulation, confirming that the IPSP is not the subject matter of the Environmental Assessment Act. In the spirit of the EBR, I've instructed my ministry to make that opportunity—yet an eighth opportunity—available for Ontarians to log on to the Ministry of the Environment website, find the link to the Environmental Registry, and provide comments and information that they might like to provide us with, with respect to this regulation. There's ample opportunity for Ontarians to participate over the next 10 years as we build—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

1540

#### ACCESSIBILITY FOR THE DISABLED

**Ms. Kathleen O. Wynne (Don Valley West):** My question is for the Minister of Community and Social Services. As you know, we recently celebrated Access Awareness Week in Ontario and the first anniversary of the passage of our landmark Accessibility for Ontarians with Disabilities Act. I had the privilege of sitting on the committee that held hearings on that act, and it certainly was a profound experience for me and for people who came to speak about the changes we were going to make.

Our government is moving very quickly on several initiatives that will improve accessibility for Ontarians with disabilities, and more and more businesses across the province are becoming increasingly accessible. There seems to be a new awareness about greater accessibility attracting customers. That only makes sense to us, but that seems to be taking hold among businesses. We're all realizing that accessibility is not only for the disabled community but also for those with baby strollers and senior citizens with walkers and wheelchairs, and the whole concept of universal design seems to be taking hold.

What is your ministry doing to promote accessibility for businesses across the province?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** First, let me thank the MPP from Don Valley West for her contribution to helping us achieve a fully accessible Ontario.

One of the ways that we are promoting accessibility for businesses across the province is through our EnAbling Change Partnership projects. The program teams the government with organizations and businesses that are leaders in the community to facilitate increased awareness and understanding of the AODA. As a result of this program, we have partnered with the Canadian

Standards Association, which works with eight champion businesses and organizations across the province to test and implement a customer service training program.

I recently visited the Shaw Festival and Cineplex Entertainment, two business champions that have worked with the Canadian Standards Association and made their establishments more accessible.

We are on the side of Ontario businesses, and I encourage more large and small businesses to work with the disability community, their local organizations and municipalities to make more of these changes possible. And we will—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister.

**Mr. Robert W. Runciman (Leeds–Grenville):** On a point of order, Mr. Speaker: Given the disruption earlier today during question period, I'd ask for unanimous consent to extend question period by three minutes.

**The Speaker:** Do we have unanimous consent for an additional three—

*Interjections.*

**The Speaker:** We do not.

#### VISITOR

**Ms. Lisa MacLeod (Nepean–Carleton):** Today in this chamber we have a distinguished guest who spent many years on Parliament Hill when I was on Parliament Hill working for the PC Party of Canada: former Reform, Alliance and Conservative Member of Parliament Deborah Grey. Please welcome her, everyone.

*Applause.*

#### PETITIONS

##### SCHOOL FACILITIES

**Mr. Jim Wilson (Simcoe–Grey):** “To the Legislative Assembly of Ontario:

“To the Legislative Assembly of Ontario:

“Whereas the parents of St. Paul's elementary school in Alliston have raised many issues regarding the security, cleanliness and state of repair of their school; and

“Whereas a 2003 condition assessment completed by the Ontario government identified the need for \$1.8 million in repairs to St. Paul's elementary school; and

“Whereas the Simcoe Muskoka Catholic District School Board has approached the Ministry of Education with the intention of having the school deemed prohibitive to repair as they believe the school requires \$2.28 million in repairs, or 84% of the school replacement cost; and

“Whereas there are ongoing concerns with air quality, heating and ventilation, electrical, plumbing, lack of air conditioning and the overall structure of the building, including cracks from floor to ceiling, to name a few;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Education immediately deem St. Paul's elementary school prohibitive to repair, secure immediate funding and begin construction of a new facility so that the children of St. Paul's can be educated in a facility that is secure and offers them the respect and dignity that they deserve."

I went to this school from K to grade 8. My mother taught there for some 33 years. I want to thank Milva Biffis for sending me this petition and for spearheading this initiative.

### IDENTITY THEFT

**Mr. Tony Ruprecht (Davenport):** I have a petition addressed to the Parliament of Ontario and specifically the Minister of Government Services. It reads as follows:

"Whereas identity theft is the fastest-growing crime in North America;

"Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

"Whereas the cost of this crime exceeds billions of dollars;

"Whereas countless hours are wasted to restore one's good credit rating;

"We, the undersigned, demand that Bill 38, which passed the second reading unanimously in the Ontario Legislature on December 8, 2005, be brought before committee and that the following issues be included for consideration and debate:

"(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information such as SIN and credit card numbers.

"(2) Should a credit bureau discover that there has been a breach of consumer information, the agency should immediately inform the victimized consumer.

"(3) Credit bureaus should only report inquiries resulting out of actual applications for credit and for no other reasons.

"(4) Credit bureaus should investigate any complaints within 30 days and correct or automatically delete any information found unconfirmed or inaccurate."

Since I agree with this petition 100%, I'm delighted to sign it as well.

### ORGAN DONATION

**Mr. Frank Klees (Oak Ridges):** The petition I am presenting to the Legislature was signed at the Aurora street sale and the Richmond Hill heritage festival. It's addressed to the Legislative Assembly of Ontario and reads as follows:

"Whereas 1,920 Ontarians are currently on a waiting list for an organ transplant; and

"Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

"Whereas hundreds die every year waiting for an organ transplant; and

"Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

"Whereas the private member's bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

I'm pleased to affix my signature to this petition. As you know, this is a private member's bill that I presented, and I do hope that the Legislature will move quickly to pass this legislation.

### LONG-TERM CARE

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** I have a petition from the residents' council at Woodland Villa in Long Sault, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I affix my signature and send it with Mitchell.

1550

**Mr. Ernie Hardeman (Oxford):** I have a petition here to the Legislative Assembly of Ontario, signed by a great number of my constituents involved with the Woodingford Lodge in Ingersoll, in Woodstock and, I believe, some from Tillsonburg.

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I affix my signature as I agree with this petition.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Tony Ruprecht (Davenport):** I have a petition in support of skilled immigrants and in support of Bill 124. It’s to the Parliament of Ontario, and it reads as follows:

“Whereas the McGuinty government is committed to establishing measures that will break down barriers for Ontario newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, clear and open; and

“Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

“Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, Bill 124, and work to ensure its prompt passage in the Ontario Legislature.”

I’m delighted to sign this petition because I agree with it 100%.

#### EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** “Petition to Ontario Legislature to End Discrimination

“Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining

7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I’m pleased to affix my signature to this petition because I do believe it is wrong for this discrimination to continue in the province.

#### GO TRANSIT TUNNEL

**Mr. Tony Ruprecht (Davenport):** I have one final petition today, which is addressed to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation. It reads as follows:

“Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

“Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair-Old Weston Road bridge;

“Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it’s about 50 metres long). It’s dark and slopes on both east and west sides, creating high banks



for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

Since this petition is in my riding, I'm delighted to sign it because I agree with it 100%.

### EDUCATION FUNDING

**Mr. Ernie Hardeman (Oxford):** I have a petition here to the Ontario Legislature:

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I affix my signature.

### ORDERS OF THE DAY

#### RESIDENTIAL TENANCIES ACT, 2006

#### LOI DE 2006 SUR LA LOCATION À USAGE D'HABITATION

Mr. Gerretsen moved third reading of the following bill:

Bill 109, An Act to revise the law governing residential tenancies / *Projet de loi 109, Loi révisant le droit régissant la location à usage d'habitation.*

**The Acting Speaker (Mr. Ted Arnott):** I recognize the minister to lead off the debate.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** It's indeed a pleasure today to be involved in third reading debate on the proposed Residential Tenancies Act, 2006, Bill 109. Before starting off, let me just—this has been an ongoing process for over two years that we've been working on this piece of legislation. I would like to recognize two individuals who have been actively involved in this process. One of them is in the Speaker's gallery. He's a staff member. I know that normally we don't introduce staff members, but Mark Mascarenhas has been very actively involved in this, as well as my parliamentary assistant Brad Duguid, who's sitting beside me. He will be speaking as well, as will Mario Sergio, my other parliamentary assistant.

#### 1600

Bill 109 is an important piece of legislation for those Ontarians who rent and for others who make a living in the rental housing market. Indeed, this is an important piece of legislation for all Ontarians, as Bill 109 would help build stronger communities clear across this province. If passed, the proposed reforms will bring balance back to the rental housing system while keeping our rental housing market strong.

Our government is on the side of good tenants and good landlords. We took the time necessary to bring forward a balanced and fair piece of legislation, and I'm sure everyone in this Legislature agrees on that—

**Mr. Rosario Marchese (Trinity-Spadina):** Almost everyone.

**Hon. Mr. Gerretsen:** —even my friend Mr. Marchese opposite.

We could not have done this without first talking to tenants, landlords and housing experts. Our government has always operated on the principles of consultation and consensus-building. We were not prepared to develop Bill 109 without hearing from the people whom the proposed legislation would affect the most. Bill 109 is very much a product of all those extensive consultations.

The amount of input we received was impressive: 250 written submissions, some in very clear detail; over 1,200 telephone inquiries, opinions and suggestions; and more than 5,000 people across this province completed questionnaires. We had participation from more than 1,500 people in 10 town hall meetings held in communities across this province: here in Toronto, Mississauga, Scar-



borough, Kitchener, London, Ottawa, Thunder Bay, Sudbury, Kingston and Hamilton. We held 30 additional meetings with regional stakeholder groups.

All of this input helped us succeed in finding the right balance between tenants' and landlords' interests and their concerns. Our bill will provide better protection and a fairer rent-increase system for tenants. The proposed legislation will offer incentives for landlords to invest in and maintain their buildings so that we have a healthy rental housing market in Ontario and good-quality housing for all of those people who live therein. For both groups, the proposed Residential Tenancies Act will create a more understandable and a fairer dispute resolution process.

Let me provide you with some of the details so we can all better understand how our government has struck the right balance through this proposed legislation. Under the proposed legislation, tenants can expect fairer rent increases as the annual rent-increase guideline will be based on a real cost indicator, namely the consumer price index, which is much more transparent than the current system. They will also be protected from landlords who continue to hike rents without properly maintaining their buildings, because tenants can apply to stop all rent increases until all serious maintenance issues are resolved, and that includes outstanding work orders.

With Bill 109, a new system for granting above-guideline increases will also be established. Sitting tenants would receive rent reductions when utility costs decreased or capital improvements have been paid for if their landlord had received an above-guideline increase for higher utility costs or a capital improvement and as a result thereof had increased the rent. Above-guideline rent increases for building improvements will represent a fair return for a landlord's investment and will only be allowed for major and necessary capital works, not for ongoing maintenance and repair, which is often the situation now.

The balancing piece to these proposed changes is that landlords will be motivated to invest in and maintain their buildings, and we would protect the investment climate. Bill 109 will continue to allow landlords to negotiate starting rents with prospective tenants. We've also given landlords greater flexibility to offer discounts of up to three months' rent to attract good tenants. Buildings constructed after 1991 will continue to be exempt from rent controls. That's been the case through the last three governments: since 1991. Interest on the last month's rent deposits will be based on the Ontario consumer price index to reflect current market and interest conditions. Currently, landlords must pay 6% on rent deposits even though those deposits may not be earning that rate of interest.

As I mentioned previously, Bill 109 represents the results of our two-year dialogue with tenants, landlords and housing experts. The standing committee process here in the Legislature is a legislative process that our government welcomes as it provides those important stakeholders another opportunity to share their views.

After all, nothing—no law, no bill that's introduced here—is perfect the first time around. We believe that if there's an idea out there that can make Ontario's rental system fairer, more understandable and balanced, we want to hear about it. That's why our government supported several amendments to the proposed legislation as a result of the legislative hearing process.

#### *Interjections.*

**Hon. Mr. Gerretsen:** I hear some of the opposition members booing that. Surely they can't be against the legislative process that brings true democracy to this House. I'm sure they're doing so in jest, by the way.

As I mentioned before, our government supported several amendments to our proposed legislation. Let me give you some examples.

The Advocacy Centre for Tenants Ontario, ACTO, a major tenant group, asked that Bill 109 include compensation for tenants who are evicted and whose landlords did not preserve the evicted tenants' property for a reasonable amount of time. Being evicted is by far one of the worst things that can happen to an individual or to a family under any circumstances. Having your property thrown out while you're making arrangements for storage can make it doubly worse and very difficult for somebody to start over again. So our standing committee of the Legislature supported an amendment that would allow tenants to apply for compensation if their landlord did not preserve their property for at least 72 hours after eviction.

Another issue that ACTO raised during these hearings was making sure that tenants who missed a hearing due to an unforeseen crisis or work demands were able to still have their case reviewed. Again, this issue was addressed before the standing committee, and under the proposed amendment it is now clear that if a party was not reasonably able to participate in a hearing, the party's case could be reviewed by an adjudicator. That simply means that if a tenant was ill or could not attend or find someone to attend the hearing on their behalf or ask for an adjournment, and an order was issued against that tenant, the tenant would be able to ask the adjudicator to review its decision and seek a remedy. That's the fair thing to do, and that's what the amendment to the bill justifies and makes happen.

Another group that came forward with suggested changes during our standing committee was the Federation of Metro Tenants' Associations, a group well known here in the Toronto area. They recommended that new tenants should not receive above-guideline increases for capital work done before their tenancy begins. This recommendation, again, was supported by the standing committee, and the appropriate amendments were made.

The standing committee did not just accept recommendations from tenant groups. Our goal with the proposed legislation is about striking a balance. It supported several recommendations from the Federation of Rental Housing Providers of Ontario, including giving adjudicators the option of deferring rather than dismissing above-guideline increases in cases of serious main-



tenance problems. That way, landlords can have an immediate incentive to fix the maintenance problems, which is obviously to the benefit of the tenants, by simply having the issue deferred until the maintenance issues have actually been heard.

The amendments I have mentioned here today are but a very short highlight of the amendments the standing committee adopted. I might indicate that the standing committee also supported four amendments from the other parties in this House. Our government believes a good idea is a good idea regardless of who is supplying it.

#### 1610

The Ontario Rental Housing Tribunal is another area where both tenant and landlord groups have concerns, specifically about its processes, the biggest concern being the dispute resolution process. This is certainly an issue we heard about over and over, particularly from the tenant groups and individual tenants. The current eviction process for tenants has been called unfair and draconian. The Ontario Ombudsman, as a matter of fact, wrote in his 2003-04 annual report that, "The default eviction process has resulted in large numbers of individuals being evicted without mediation or a hearing on the merits ... such evictions may have disproportionate and oppressive consequences for vulnerable tenants: seniors, single parents with small children, individuals with disabilities and those for whom English is a second language."

The current act allows a tenant to be automatically evicted if the tenant does not respond to a landlord's eviction application within five days. Under our proposed legislation, in this bill, all tenants facing eviction will have access to a hearing or mediation. Our reforms will require an adjudicator to consider all the relevant landlord and tenant matters in deciding whether to grant an eviction for arrears. Adjudicators will consider tenants' circumstances in all eviction applications.

For example, let's consider the case of a single mother who falls behind in the rent because her child is hospitalized for two weeks and she doesn't get paid for missed days at work. That individual will be given an opportunity to attend a hearing regardless of whether or not she filed a written dispute in five days. She will receive a notice about the hearing from the tribunal, in addition to receiving the official notice from the landlord, as is required. When this single mom attends the hearing, she will be given an opportunity to explain why she hasn't paid the rent and, if appropriate, an adjudicator can order that she not be evicted if she lives up to a fair arrangement to catch up on her rent. Of course, she could also access her local rent bank to assist her in catching up on her rent. Rent banks are established clear across this province through the local housing service providers. This new process under our legislation adheres to the principles of natural justice and in every sense is just good old-fashioned fairness.

Our proposed reforms will also deal with tenants who are causing wilful damage to their units or are impacting the safety of others—either the landlord or other tenants

in the building. In that case, Bill 109 creates a fast-track eviction process for tenants who cause wilful damage or who are interfering with the reasonable enjoyment of a landlord's own home. The time required to issue an eviction order will be cut approximately in half in those kinds of circumstances. In the case of excessive wilful damage or serious threats to health and safety, eviction can be ordered immediately.

During our consultations with tenants and landlords, we also heard that the tribunal fees were too high and its processes could be more client-friendly. Landlords and tenants have found application and other fees at times to be prohibitively high. Our ministry will continue to work with the tribunal to improve its customer focus and accessibility.

To reflect the spirit of the proposed legislation and the tribunal's new mandate, we propose to change its name to the Landlord and Tenant Board.

Of course, for some tenants affordability will always be an issue. Our government wants to help good landlords and good tenants, and we're also particularly on the side of those individuals who are the most vulnerable.

Our proposed legislation is just one part of our integrated housing strategy to improve the availability, affordability and quality of housing across the province. Our integrated housing strategy also includes, we all know, the \$301-million Canada-Ontario affordable housing program, the \$14-million Ontario rent bank program and our \$50-million strong communities rent supplement program.

We are making progress. Together with our federal and municipal partners, the affordable housing program has funded, to date, over 5,460 rental and supportive housing units, 884 home ownership units and 200 units under our northern housing component. We're also helping families afford housing through rent supplements. Right now, the strong communities rent supplement program is assisting 6,670 low-income households. The McGuinty government has also taken action to help families in short-term arrears avoid eviction through our very successful rent bank program. Since 2004, provincially funded rent banks have helped 4,177 Ontario households avoid eviction and keep their homes. These investments, along with what's being proposed in Bill 109, will help us build stronger communities across the province.

In conclusion, we've done our homework on this particular piece of proposed legislation. Once again, for tenants the proposed legislation will result in better-maintained buildings, a fairer annual rent-increase guideline, a new above-guideline rent increase system for utilities and capital expenditures, and the elimination of the unfair default eviction process. For landlords, the proposed legislation will help protect their investment and offer incentives to maintain and invest in their buildings. We want to ensure that the healthy rental market we are currently experiencing continues, while at the same time the availability, affordability and quality of housing across this province are improved.



Tenants, landlords, housing experts and all who have an interest in this legislation have been given ample opportunity to provide their input before, during and after the introduction of the proposed Residential Tenancies Act. We've had several public hearings on the proposed legislation, as I outlined previously. Everyone has had their say, and now it's time to implement these changes. After all, stronger communities lead to a stronger Ontario that offers its residents a quality of life that's second to none. This bill will help us get there. I strongly encourage all members to join me in passing this bill and, in turn, invest in the prosperity of our people here in Ontario.

**The Acting Speaker:** Further debate?

**Mr. Ernie Hardeman (Oxford):** I rise to speak on third reading of Bill 109, An Act to revise the law governing residential tenancies. First of all, I just want to touch on the title just for a moment. We heard a lot about this at committee—the minister talked about the extensive committee hearings, and I do want to touch on that a little bit too. One of the things we heard was the public coming forward and saying they had a problem with the title of the bill. This doesn't happen very much. In fact, most of the people who come forward on issues like this are concerned about the content of it and not so much just the title. But the people who were coming forward, particularly tenants—in fact, all tenants and tenant groups—were concerned with the fact that the tenant protection part of the purpose of the bill seems to have disappeared. It seems to be a bill to control housing markets, but very little to protect tenants. That was their impression from that. I think the issue I wanted to point out is that this bill no longer has tenant protection in it, so that's no longer the real purpose of the bill.

I also want to quickly speak a little bit about the length of time the minister said they had for consultation and the amount of input the public has had—the opportunity to put their input into this bill and have their wishes realized or their concerns addressed in the bill. I just want to point out that there was a very industrious deputant who made a presentation to the committee. I have his presentation here. I want to go through it because it's rather important for people to understand the amount of involvement the people had, and what impact that involvement had on the end result of the bill. The minister spoke of all the amendments we've made, but we have to remember we were hearing deputations one day and the amendments were due the following day. In fairness to the people, I don't think many of those changes were being considered in the amendments, recognizing that the government already had the amendments written when we were hearing the last of the presentations.

1620

This deputation here was kind of interesting. It speaks, first of all, a little bit to the bill we're speaking of today and then it refers to the bill it is replacing, the Tenant Protection Act. It's longer than this but I won't use the whole thing, just the part that relates to the length of time:

"Two years ago" you "held town hall meetings"—he's referring, of course, to this bill and the present government—"but those were mostly about the previous government's laws and its flaws. None of this remains on the public record; it was not done through this committee and so was never recorded in Hansard.

You "also did an online consultation in 2004, but" you, the government, "set all the parameters." You "selected the background information people should read before they answered" your "questionnaire. You "selected the questions. And" you "selected the answers people had to choose between." I think this is rather interesting.

"The most egregious example of the government's biased survey was question 6." This is the question: "'In your opinion, how high should a region's vacancy rate be before the government looks at removing rent controls?'"

**Mr. Marchese:** I was going to use that too.

**Mr. Hardeman:** Yes. It says, "The only choices you provided were:

"a) 3%

"b) higher than 3%, or"

I have "'no opinion'" at all. That's not really leaving it open to what the options might be. I think a lot of tenants would have answered that question with "Never," but that's not one of the options.

**Mr. Marchese:** It's not there.

**Mr. Hardeman:** It's not there at all. It goes on. We'll skip a few paragraphs:

"The problems with this government's process can be best summed up by quoting a complaint already submitted to the committee 10 years ago, from page 4 of the Liberal Dissenting Report on Rent Control Consultations, September 21, 1996." This was presented to our committee:

"'Liberal members of the committee and many pres-enters were frustrated that very limited time (20 minutes) allowed to each group permitted very little opportunity for dialogue or discussion. It was also unfortunate that of over 400 groups that applied to appear before the committee, there was only adequate time to allow for 260 presentations.'" The Liberals were complaining about what was happening.

Now they're referring to the previous act, the Tenant Protection Act:

"In 1996, the Harris government held Hansard-recorded meetings of this committee on their tenant discussion paper, hearing 260 deputants over more than 80 hours." These were the hearings the Liberal report castigated them for because they only gave each deputant 20 minutes.

"In 2004"—and this is going back to this present legislation—"your government held town hall meetings outside of this committee, giving each deputant only five minutes, with no public record of what was ever said.

"In 1997 the Harris government held hearings on" their Tenant Protection Act, "Bill 96 in seven cities over 49 hours, hearing some 140 deputations, giving each organization 20 minutes and each individual 15."



This compares now to 2006: “The Liberal government is holding hearings on Bill 109”—

**Mr. Marchese:** How many cities?

**Mr. Hardeman:** —your Residential Tenancy Act—“in only one city”—that being this one, Toronto—“listening to 49 deputants for” a total of “eight hours,” and each deputant, of course, getting “only 10 minutes.” So in time—

**Mr. Marchese:** How does it compare?

**Mr. Hardeman:** In time that each deputant got it’s exactly half as long.

Then, “It appears that” your “government is far more guilty of the very accusations” you “made against” your “predecessors.”

“Why the sudden rush to get this law passed after all this time? What is the government afraid of? And why the lack of properly recorded consultations with sufficient deputation time based on the government’s own publicly demanded criteria?

“Tenants want real rent controls, but most of all we want honesty in government, not spin.” That was a presentation made, and I couldn’t agree more with them. What they wanted was honesty in government and not spin. What they got here was spin.

Of course, we have to go back to the start of the bill, when the government of course in their Liberal party platform, three years ago, said that in the first year of a Liberal government they would introduce what they called “real rent control” that worked. Of course, that was supposed to be in one year. We are now three years and then some—

*Interjection.*

**Mr. Hardeman:** No, not quite; we’re just under three years—almost three years. Now we have a piece of legislation. The most interesting part about it is that the part they were promising tenants was going to change doesn’t change.

I’m not here to suggest that it should change. I was part of the government that put that in place—the vacancy decontrol, which allows the marketplace to level itself and find its level based on the availability of accommodations and the number of people who want them, in order to try to get investment into the industry and, of course, make it a competitive marketplace. We just go for a minute to a quote in the news release in Toronto from the Federation of Rental-housing Providers of Ontario:

“The Federation of Rental-housing Providers of Ontario believes the proposed reforms to Ontario’s rental housing legislation”—that’s this legislation, of course—“go too far.

“There is strong evidence that the rental market in Ontario is working better than ever for tenants. These proposed changes are a discredited solution in search of a problem.

“These reforms go too far. They bring back rent control systems which have been tried and failed. They also are undertaking a major overhaul of the dispute resolution system which will bog down an already

overburdened system and resulted in even greater delays for justice.”

That is the part that I wanted to touch on quickly as the minister spoke about the default provision in the eviction process. Presently, in the old act, if a tenant has not paid the rent, the landlord can issue notice. If they do not respond to the notice, the notice can go 20 days after the non-payment of the rent. Then, if they don’t respond to that in five days, in fact the eviction can take place and the process can take place without going to a hearing.

Of course, as the minister said, there’s some concern that some people in that time period—maybe it was a lack of understanding of what the notice was or some family circumstances that made it very difficult for them to deal with it in the five days—may end up having an eviction without ever having their day for a hearing. But the solution to that is saying that with every application for eviction now for non-payment of rent, whether the tenant believes that they’re at fault and whether they know they haven’t paid the rent and they have no reasonable excuse, they still have to go to the hearing.

That will increase the length of time or amount of time required for the hearing’s board to deal with these situations. There is nothing in the bill, of course, and nothing in what the minister has said so far that they’re going to increase the capacity of the tribunal to hear the increased number of applications that will be there.

Of course, if we don’t have something to increase their capabilities, then not only will it be the extra 30 days to go to the hearing, but there will be another length of time beyond that, which will mean that every eviction or every non-paying tenant will be in the non-paid-for accommodations for an extra month. Of course, that’s at the expense of the landlord.

I think the minister needs to look at a way to find an accommodation between the two to make sure that if we’re going to have more hearings, we can have more hearings with the capacity at the board to have them heard in an acceptable length of time.

1630

The other thing that creates a problem in the legislation is that when you go to those hearings, the bill allows the tenant, without ever having notified the landlord prior to this time, to come to the hearings and he can tell the hearings board, “The reason I haven’t paid my rent is because there is work that needs to be done on the accommodation and the landlord seems to have resisted doing it. I’ve told him about it. He hasn’t done anything about it, so I’m not paying my rent until he does.”

Of course, the landlords, even if they’re at the hearing—they would be at the hearing, I presume; they called the hearing—would not be aware of this coming forward. There would be no way that at that hearing they could produce the evidence or the justification of what had happened, to deal with that issue, so they would have to have an adjournment. We would be looking at setting up a new hearing and we would have another month where nothing is happening.



Landlords, generally, are very concerned that tenants—and again, it's not the tenants the minister was talking about; it's the other tenants. The minister keeps talking about good landlords and good tenants. That's not what this legislation was supposed to deal with. This legislation is supposed to deal with problem areas. There is real concern that tenants will use that as a delaying tactic, with another month of not paying rent. That's a real concern that the good folks who represent landlords brought forward to the committee.

There is another area I want to touch on quickly—I have a colleague who would like to speak to this and she's anxiously awaiting the opportunity.

One that I have a real problem with is conservation and the smart metering of electricity, changing the multi-residential units that are presently single metered and electricity is part of the rent. The bill deals with changing that over to individual metering for individual units, and then taking it out of the rent and making it payable directly by the tenants.

We would all agree with that being a good idea because it conserves energy. In the city of Woodstock in Oxford county, we have a program, what they call smart meters, where you pay as you go. You purchase electricity, put the card in your meter and you can actually see how much you're using. When they did that, on average, it was somewhere between 18% and 20% savings in the amount of electricity when people could see what they were using. Being able to pay for the electricity yourself, you can then find a way to reduce your cost and it's a benefit to you. If you use less, you conserve it. It's good for the province, good for the environment and good for the people themselves. If it means nothing to them, why would they turn out the lights? I'm sure we're all aware of that. When you know you're going to pay the hydro bill, you're much more apt to turn off the switch.

But the problem with it is how they're going to implement that. They have to find a way to come up with a cost per unit of how much the rent should be reduced when they pay their own hydro. I think that makes good sense. Obviously the people in these apartments should not pay both ways. I would have thought you would take the average consumption in the building and divide it by the number of units and say that's how much each unit would have their rent reduced, but that's not what this bill does.

This bill says the landlord puts in the meters, they operate them for a year, and then each individual unit will have their rent reduced by the amount of hydro they've consumed that year, and then they will start paying their own hydro. I'm sure very few people would do this, but the more you use that year, the more your rent will go down. I don't think that's a very good option for conservation. It seems to me that there would be a real benefit to—

**Mr. Marchese:** Brad knows better.

**Mr. Hardeman:** Exactly. Brad knows better. I think that's what Brad thought.

This is from the Federation of Rental Housing Providers of Ontario, and it deals with the metering. I just want to read some of the quotes.

“Unfortunately, provisions in the legislation introduce so many liabilities and risks for owners who sub-meter individual units that few units will be metered. Several owners who were considering sub-metering have already notified” the federation “that they absolutely will not sub-meter under this new legislation. The reaction to the section has been universally negative from FRPO members. Therefore, we do not think the section will help the government meet its objectives.”

**Mr. Marchese:** So who are they listening to?

**Mr. Hardeman:** I don't know who they're listening to, but they didn't listen to that. That should have been an amendment, but it wasn't.

I'm going to stop at that, but I want to say that that was one of the things—we speak of the amendments and the minister spoke of all the amendments. There were 80 amendments, but because of the time restrictions—first of all, a closure motion on second reading, a closure motion on all the committees, three days of committee hearings, a closure motion to say that the clause-by-clause would last two hours and no more, and then third reading would end at 5:50 that evening, all based on a resolution this government passed. There was no time to deal with the 80 amendments. In fact, more than half of those amendments were never read into the record, because there was not sufficient time. Of course, the government had their amendments and they just voted them all in, but the government members who voted had not read the amendments they voted for. They were just told, “If they're government amendments, put your hand up. If they're someone else's amendment, keep your hand down,” and that's the way it went.

I think that's really what's wrong with this process. There seems to me to be no reason why we couldn't have taken our time and done it right, rather than rushing it through the way it's being done.

**The Acting Speaker:** Further debate?

**Ms. Lisa MacLeod (Nepean–Carleton):** I appreciate the remarks from the member of our party from Oxford. He offered a very thorough précis and synopsis of why our party is going to oppose this piece of legislation.

My remarks will cover three main areas, namely, informed opinion about rent control, whether Ontario needs a change in the current rules and four practical problems with Bill 109.

It is now widely accepted around the world that price controls, including rent controls, do not work. Eight Nobel laureate-winning economists have addressed rent controls and all have rejected them as being counter-productive. Of the eight, I'm going to focus on two.

Gunnar Myrdal is no laissez-faire opponent of government intervention. He is widely credited with designing Sweden's cradle-to-grave social security system. He has also expressed strong criticism of the income inequality in American society, but despite those predispositions, he is a critic of rent control.



James Buchanan has commented on rent control in Canada. Conversations from the Frontier is a work published by the Frontier Centre for Public Policy on October 25, 2001. The frontier centre is a Canadian research institute based in Winnipeg, Manitoba, which had rent controls like those in Ontario from 1976 to 1998. In that work, the Nobel Prize winner James Buchanan captured the problem with tightening rent controls in one simple paragraph:

"Rent control is one policy that economists universally would oppose. It is a grossly inefficient way of allocating housing space and, of course, it inhibits construction and creates the very thing it is supposed to alleviate (namely shortages of affordable housing). It is one of those things where people simply don't understand simple economics and, therefore, put in for political reasons what will damage the very people that it is designed to help."

I turn now to whether Ontario needs a change in the current rules. Bill 109 will replace the Tenant Protection Act, or TPA. On every important point of comparison, the TPA has produced better results for tenants than all previous rent control regimes: Vacancy rates are up, customer choice is up, affordability has improved, investment in capital repairs is up and job creation is up.

In the early 1970s, purpose-built rental starts averaged 30,000 units per year in Ontario. In 1975-76, rent controls were introduced. Rental starts plummeted to less than 5,000 units per year and then fell even further in the 1990s. Coupled with the excess demand caused by rent control, the reduction in starts caused shortages of rental housing. Those ongoing shortages manifested themselves in much-reduced vacancy rates. Under the rent control regimes from 1976 to 1998, the vacancy rate for Toronto averaged less than 1%. That is exactly what the Nobel Prize winners would predict. Since 1999, the vacancy rate has increased to an average of 2.4%. That meant choice for tenants, and it too is exactly what the Nobel Prize winners would predict.

1640

Since the TPA was introduced, the highest vacancy rates have been at the lowest end of the rental market. For example, in Toronto in October 2005 the vacancy rate was 3.7% overall, but 5.9% for units under \$700 and 5.5% for units between \$700 and \$800 per month. In Ottawa, my city, the vacancy rate was 3.3% overall, but 4.6% for the most economical 20% of units, i.e., the lowest quintile.

Under the legislation before the TPA, Toronto experienced no significant vacancies at any rate level. Under the TPA, there is availability and choice in all rent ranges. In my city, Ottawa, rents are falling. That is good news. From October 2004 to October 2005 the average rent for a one-bedroom apartment fell by 1.2% from \$771 to \$762. The average two-bedroom rent fell by 2.1%, from \$940 to \$920.

CMHC reports that "between 2001 and 2005, the price of Ottawa's average-priced resale home rose 41% (to \$247,906) and the estimated principal and interest carrying costs on this home rose 26%.... By contrast, the

average two-bedroom rent rose only 1%." Over that time period, inflation was 9.5%.

From 1971 to 1996, every census showed more Ontario families paying more than 50% of their income on rent. That is exactly what the Nobel Prize winners would predict. After the loosening of rent control by the TPA, the number of families paying more than 50% of their income on rent fell. That is exactly what the Nobel Prize winners would predict. Given the path of rents and wages since 2001, we can expect further improvement when the 2006 census results are known. Yet the Minister of Municipal Affairs and Housing has the gall to stand before this House today to turn back the clock, and he will not help low-income renters.

As to investment in major repairs and improvements, you just have to look as you drive around Toronto and Ottawa. Many buildings have new windows, and exterior landscaping has vastly improved. Walking into buildings shows the same improvement in lobbies and common areas. A great deal of money has gone into balconies, elevators, furnaces and roofs to deliver tenants the quality of rental accommodation they want and deserve. These capital investments have created tens of thousands of jobs for Ontario's workers. However, the continuation of those jobs and the capital improvements that fuel them will be blocked by Bill 109.

I have to applaud the previous Conservative government for bringing in the Tenant Protection Act. Like the previous speaker from the Conservative Party said, during the hearings we heard time and time again from rental advocates who were telling us that the name of the bill, if they are going to repeal the Tenant Protection Act, should have remained the Tenant Protection Act, because there is more protection in the legal interpretation for tenants.

But I'm going to go on to talk about four major practical problems with Bill 109, as identified by constituents of mine in the Ottawa area to the committee on general government, which reviewed Bill 109. Those problems are: section 30, onerous orders prohibiting rent increases; section 82, about which we heard from everyone across Ontario, joining maintenance claims without notice; section 126, new restrictions on AGI applications; and sections 137 and 138, rules about smart metering and ratio billing. I'll speak about each of them in turn.

Because of the current rules in the TPA, deferred maintenance is rare compared to its frequency under the previous legislation. Vacancy decontrol and fair rules for above-guideline increases have created a climate in which landlords are competing vigorously for customers and to retain customers. That is the best possible position for tenants.

For those unusual situations where landlords fail to provide proper maintenance or repairs, the current rules provide ample procedures and ample relief for tenants. First, tenants can call in property standards. That will produce a site visit by a trained property standards officer who knows the minimum standards and can see the alleged defects. If the defects are real, the PSO will issue



a work order. The municipalities have procedures to enforce their work orders, and every sensible landlord will respond vigorously to a work order. In passing, I would note that tenants do not have to notify landlords of complaints before calling in property standards. A work order can easily be the first the landlord knows of a problem.

In addition to calling property standards, there is a straightforward application process for tenants to follow. In most areas, the tribunal provides mediation, which often resolves the problem. If mediation fails, then the tribunal will hold a hearing. After a hearing, the tribunal can order the landlord to pay for repairs the tenant has made, authorize the making of repairs or further repairs, order the landlord to make repairs, order the rent to be abated for a past or future time period, or order the landlord to pay the tenant for any damage to the tenant's property.

What is to be added to section 30 is the ability to prohibit rent increases. Such a power existed under the NDP's Rent Control Act, but it was mitigated in that the prohibition on actual rent increases did not interfere with the usual increase of the maximum rent. Thus, when a landlord complied with the order, they could regain the normal rent track for the future. That ability does not exist under Bill 109.

The Bill 109 provision is unnecessary and will damage the rental market. Paragraphs 6, 7 and 8 of subsection 30(1) should be deleted. At the least, orders prohibiting rent increases should be made where there is a municipal work order for a serious issue from a property standards officer. Property standards officers are in the best position to determine whether or not the landlord is in non-compliance with municipal property standards. The law should have avoided the duplication of processes and subparagraph ii of paragraphs 6, 7 and 8 of subsection 30(1) should have been deleted.

Under the current rules, tenants are required to bring their own applications to obtain remedies for maintenance and other claims. A tenant can file an application at any time to make such claims, and landlords then receive notice of the claim. The current system works and is consistent with the rules in every court and tribunal.

Under section 82 of Bill 109, tenants will be able to raise maintenance issues at the hearing of an eviction application brought by the landlord without any prior notice to the landlord. The new system will be abused by tenants in order to delay evictions in situations of non-payment. Bad tenants will learn how they can use the system and will routinely name non-existent maintenance claims to buy time.

The claims are not common now because legal clinics and other tenant advocates tell tenants they have to bring their own application about maintenance issues, and that such issues are not relevant in applications for non-payment of rent. As soon as section 82 is enacted, that advice will be reversed and great numbers of tenants will claim that there are maintenance problems in order to buy themselves longer time without paying their rent.

Landlords will be forced into a Hobson's choice: Either they will have to request an adjournment of the eviction hearing to bring witnesses, such as superintendents and maintenance staff, to defend against tenants' claims, or they will run the risk of losing applications because of lack of evidence when tenant claims are not valid. Either way, section 82 will increase the cost of doing business. That will ultimately be paid by the good tenants who pay on time and take care of their units. Section 82 is bad public policy and should have been removed from Bill 109.

Section 82 also offends the rules of natural justice by allowing tenants to make claims against landlords and have them heard without giving proper notice. At a minimum, tenants should be required to give notice of the intention to raise specific maintenance issues to the landlord at least five days before the hearing.

Above-guideline increase applications are typically used to bring up rents of units that have fallen badly behind inflation or when landlords have not taken increases for several years but then the rental market changes. In other words, AGI applications are typically about catching up. Landlords are only allowed to catch up for the lost guideline increases when they have cost increases to justify the rent increases.

Ever since rental control was introduced 30 years ago, the system has recognized that landlords need to be able to increase rents for major cost increases. Over the years, the grounds for applications have effectively been made fewer and fewer until, under Bill 109, they will be restricted to costs that are beyond the landlord's control; namely, unusual utility cost increases, property taxes and necessary repairs; see subsections 126(1) and 126(7).

Despite the strict limits on what costs can be claimed, subsection 126(11) of Bill 109 limits allowances to 3% of the rent over not more than three years. Restricting landlords from recovering their full justifiable costs through the above-guideline rent increase application process will discourage landlords from investing in their buildings. The percentage restriction and time limit will particularly prejudice small landlords. In a small building with low rents, a major expenditure like a new roof can justify a substantial rent increase. The 9% limit in subsection 126(11) should be removed.

#### 1650

Section 137 is an attempt to make smart metering attractive to landlords in order to encourage energy conservation. The section fails to do that. Removing the requirement of tenant consent is of assistance, but the rest of section 137 is unfair, unreasonable and will discourage smart metering.

It is reasonable to remove from the rent the cost reduction landlords will receive, but it is unreasonable to reduce rents by more than that. That will be the effect of clause 137(3)(b). For example, if the average hydro cost was \$100 per month before the smart metering, but the cost of the smart meter and the separate billing is \$20 per month, it is unreasonable to remove \$120 from the rent. The proper way to proceed would be to use the system



that has applied for service reductions since 1976. Removing the cost the landlord experienced would mean that in the example, the tenant would be ahead \$10 and the landlord would break even. This is a win-win solution that should have been enacted in Bill 109.

Subsection 137(5) is another major impediment to sub-metering. It gives tenants an incentive to run up their energy consumption in order to increase their rent reduction. Most people usually act in their self-interest, so that is a real danger. It is also unreasonable and counter-productive to layer on special energy savings requirements and tenant application as in section 137.

Section 138 has positive aspects because it allows for ratio billing in small buildings. That will allow landlords to divide hydro bills between tenants on a fair basis without going through the expense of submetering. However, the other requirements under the legislation will certainly discourage landlords from taking advantage of ratio billing. Many studies, and common sense, show that tenants will conserve energy when they pay for their hydro directly. The government should encourage landlords to use ratio billing, not discourage it. That section of the legislation should have had major revisions if the government wanted ratio billing to be attractive.

Experience across many centuries and all continents proves that market forces win out over government regulations. Regulations that attempt to make tenants better off by making things tougher for landlords inevitably drive up the costs landlords experience and thus make things far worse for good tenants. In tightening the rent control rules and tipping the balance of landlord-tenant rules in favour of bad tenants, not good tenants, Bill 109 will hurt good tenants and our economy.

Real tenant protection was found in the TPA. Bill 109 is a political ploy that will be counterproductive and will hurt the very tenants this government says it would like to help. This House should vote down Bill 109 and leave the Tenant Protection Act in place.

**Mr. Marchese:** I welcome the good citizens of Ontario to this parliamentary debate on issues around Bill 109, called An Act to revise the law governing residential tenancies. I want to begin—because the minister made a good point when he spoke and said, “If there were more ideal solutions, we would use them, pick them up.” I thought that was a very enlightening comment. I want to refer to a document that he might be aware of, to see whether or not he thinks those ideas are good. Some of these ideas come from the Liberal Dissenting Report on Rent Control Consultations, September 21, 1996. I’m lucky enough to have this document by the Liberals, wherein they propose a number of ideas. I don’t have the full length of an hour to be able to do this, but I selected a few items.

One has to do with the issue of consultations. It says the following: “Failure of Tory members to listen to tenants.” And the Liberals say, “Over 260 witnesses appeared before the committee and many more submitted written briefs. A clear majority of witnesses and 100% of tenants and tenant groups called on the government to

stop its plan to end rent controls.” Remember this when I get to this issue, because the Liberals promised to end rent control. I thought it was an ideal idea that came forth from the Liberals when they were in opposition. If they do not listen to themselves, I do not know who else they listen to. So that’s on rent control.

It goes on to say, “Liberal members on the committee and many presenters were frustrated that the very limited time (20 minutes) allowed to each group permitted very little opportunity for dialogue or discussion. It was also unfortunate that of the ... 400 groups that applied to appear before the committee, there was only adequate time to allow for” a mere “260 presentations.” It goes on.

Recall that the Liberals in 2006 were holding hearings on their Bill 109 in only one city, listening to 49 deputants for only eight hours, giving each only 10 minutes. I want you to put this in context in terms of what the Liberal dissenting report said about the Tories. To be fair, there were many bills where the Tories later on only had one day and so on; that’s another matter. But on the tenant control act, they heard 240 deputants for a mere 20 minutes, they claimed. When it comes to 2006, we hear 49 deputants for only 10 minutes. Do you understand the problem? I hope that those Liberals who are listening understand the contrast between what they said—I don’t know, Mario, whether you were a member of that Liberal dissenting committee; I don’t remember. You might have been on that committee, actually. I think you were, because Kennedy was there.

**Mr. Hardeman:** That’s why he’s smiling.

**Mr. Marchese:** That’s why he’s smiling; exactly.

Bob Levitt, one of the presenters, says, “It appears that the McGuinty government is far more guilty of the very accusations they made against their predecessors,” and he’s right. And then he continues: “Why the sudden rush to get this law passed after all this time? What is the government afraid of? And why the lack of proper recorded consultations with sufficient deputation time based upon the government’s own publicly demanded criteria?” Mr. Levitt is an astute observer of politics as it relates particularly to tenants’ issues. He offers that as a point which I hope the minister, Monsieur Duguid, Mario Sergio and other Liberals who are here take into account.

I want to refer to the same Liberal dissenting document, where they say: “Failure of Tory government to understand that implementing New Directions will lead to the end of rent control and affordable housing in Ontario.”

**Mr. Mario Sergio (York West):** The Tories were bad, very bad.

**Mr. Marchese:** I remind you, my good friend Mario from York West, that this is what you said of the tenant control act, and I remind you that you haven’t changed that in your own Bill 109. So to be consistent, it would seem to me at least, as a neutral observer, that you have the same problemo. You attack them on the basis of the failure of the Tory government to understand that implementing New Directions will lead to the end of rent control and affordable housing in Ontario. You attack



them for that. What I say to you is that in Bill 109 there's nothing you have done that would change the criticism of them as it applies to yourselves.

Allow me to read on: "Tory members of the standing committee spent most of the hearings blindly defending Al Leach's New Directions proposal to gut rent controls. Instead, they should have been listening to the vast majority of presenters and the unanimous voice of tenants: implementing New Directions will mean an end to rent control in Ontario."

Mon ami from York West, I hope you remember those words. You might have helped to draft them.

"Liberals would like to highlight several key issues in Leach's Tory paper that were raised during the hearings—issues that were totally ignored by the Tory majority members on the committee when they blindly passed their, 'Yes, sir, Mr. Minister,' say-nothing report." I say it in humour, because I want you to remember what you said, because it all applies to your bill.

1700

But wait, member for York West. I have more. There's the Tory position on rent controls, and this is what you say about that: "Vacancy decontrol means the slow death of rent controls." It sounds like my line, because that's what I said when I was there. I don't remember you guys saying this. That's what I used to say. But you've got it in print, saying exactly the same thing. It's beautiful. One is almost forced to believe you, because when you hear it, you say, "They must mean it." Again, to repeat, "Vacancy decontrol means the slow death of rent controls," say the Liberals in that committee, including mon ami Monsieur Gerard Kennedy, who is running for the federal Liberal leadership.

"The Lampert report estimated that 25% of tenants move every year." You guys even quote the report that I make reference to on a regular basis. God bless you. "The study also estimated that over a five-year period, about 70% of tenants move at least once. This means that within five years, the majority of apartments and rental homes will have had their rents decontrolled." Member for York West, stick around. I've got more.

**Mr. Sergio:** I'm not going anywhere.

**Mr. Marchese:** No, but you need to hear your words. I need to talk to somebody who was there, and you were there, because the other Liberals who are here are going to claim, "That wasn't me. No, I wasn't there." Don't go away; stay. Now I've got to talk to Mr. Duguid, who is going to argue, "It wasn't me; it wasn't my report. It's their report." And my good friend from Don Valley West is going to say, "But I wasn't there; I didn't write that report. It doesn't apply to me. Those old Liberals are not the new Liberals," even though the member from York West is here and most recently mon ami Monsieur Kennedy was here, but a mere short while ago. But I digress.

"The majority of tenants in Ontario will be paying more rents under the government's proposals than they would under the current program," meaning the rent control bill we had. You Liberals are saying the right

things. You always say the right things, generally speaking, in opposition. But let me go on.

"Vacancy decontrol," say the Liberal minority report authors, "will lead to landlord intimidation and higher rents across the market." They were so visionary at the time. "People will have little chance to 'move up' since any unit that becomes vacant will first have its rent hiked—tenants will become a prisoner of their apartment." You were so visionary. You were so good in opposition. This report reflects New Democratic ideas. You understand what I'm saying?

"Even the Tories anticipate that there will be landlord harassment—they have created an anti-harassment unit and have raised fines for tenant harassment. Under the government's new plan, landlords will have less incentive to work with tenants to ensure buildings are in good repair, and every incentive to force you out by whatever means possible. It will be up to tenants to prove that the landlord's activities (refusal to do repairs, lack of hot water, excessive noise) constitute 'harassment.'"

You see how good you Liberals are in opposition? That's why you belong here. You belong in opposition because you say the right things, and you say more, mon ami from York Centre. Écoutez bien. Il y a encore un. "Vacancy decontrol hits some of the most vulnerable tenants—seniors, the poor, the disabled, students and the unemployed seeking new work." You see? They're brilliant in opposition. We need you here.

**Ms. MacLeod:** We're going to put them back there; don't worry.

**Mr. Marchese:** We've got to help them out. We've got to help them to get back in their place.

"The rent registry must remain—it is essential in protecting tenants against discrimination as it prevents arbitrary rent charges." Not a peep about the rent registry from this government. There's more. I don't have time; I only have 24 minutes. How much of this can I read?

I want to say to my good friends from Don Valley West, York West, Scarborough Centre—good heavens, there are so many more. You guys ought to know what you said. If you don't, you have a serious problemo: possibly negligence, possibly incompetence, possibly complete denial—pretending that it never existed, that you never existed, that you never said anything, that you could not have been the authors of such a paper; that it exists, yes, but if no one knows, it doesn't exist. If a tree falls in the forest, did it fall? You know; that kind of stuff. But it's here; I have it. And I want to say to any citizens watching, including taxpayers—because you guys have quite a number of them—if you want this Liberal dissenting report, just call me. Find me and I'll give it to you. I'll make copies for you, because the taxpayers pay for us to communicate with you.

The reason I go on at length about this is because vacancy decontrol is important to us. It was even important—

*Interjection.*

**Mr. Marchese:** Mario Sergio, thank you for coming. I remember when you guys came to keep me company. Remember? Thanks for keeping me company.



Vacancy decontrol was important to the Liberals and it was important to us, and it's important to me today.

Michael Walker—he's a Liberal; not a regular Liberal in terms of putting it out so that everybody knows, but he's a Liberal.

**Mr. Sergio:** Is he?

**Mr. Marchese:** He's a Liberal; I guarantee it.

**Mr. Sergio:** I'm not sure.

**Mr. Peter Kormos (Niagara Centre):** If you're not sure, then he is a Liberal.

**Mr. Marchese:** No, that's not how it works. That's the default.

Michael Walker came and presented in front of the committee. Some people might deny that he's a Liberal and some other Liberals who were city councillors as well might say, "Yes, but Michael Walker is different," or "He's a different Liberal," right? There are Liberals that are different from the others.

**Mr. Kormos:** No, he isn't. Is that a Gethsemanic denial?

**Mr. Marchese:** Oh, that's a very good word. Get that in Hansard so I know how it's spelled so I can use it the next time.

He says, "Almost half of Toronto's residents are tenants and 70% of St. Paul's residents are tenants." St. Paul's: You know whose riding that is, right? The minister of pit bulls. He says, "City council places a great priority on tenant issues and has a range of programs and services to assist them." Here's what he says on page 7.

**Mr. Kormos:** Rosie, the camera's there.

**Mr. Marchese:** No, the cameras follow me around, I'm telling you.

**Mr. Kormos:** You're not tall enough for them to follow you.

**Mr. Marchese:** It's got nothing to do with height.

It says here: "It's over two and a half years since that promise and momentous election. And what do we get after a protracted consultation, most particularly with tenants? Broken promises to tenants and tinkering with legislation leaving the image of real change but in reality it's only a phantom of the old legislation." That's Michael Walker.

With all due respect, Michael has been proactively working for tenants in his riding and any other riding in Toronto, unlike any other city councilman. With all due respect, there are many other city councillors who work hard on this issue, but Michael is a fine Liberal in this regard.

**Mr. Kormos:** "Fine Liberal"? That's an oxymoron.

**Mr. Marchese:** It is an oxymoron; I agree with you. But I read the report. I have this Liberal dissenting report. When they were in opposition, they were clear and they were good. Now they get into government, and they change.

**Mr. Kormos:** Guité didn't get fined; he got sent to jail.

**Mr. Marchese:** Okay, but let me finish this quote. Michael Walker: "Did we get rid of vacancy decontrol as

promised by Premier McGuinty in August 2003?" Mario?

**Mr. Sergio:** I'm listening.

**Mr. Marchese:** "No we did not. Did we get back 'real rent control' as promised by Premier McGuinty in August 2003?" Answer: "No we did not." I was there. I debated this bill, I went to committee hearings, and I didn't hear the member from York West say, "We're going to end rent control, as I had said I would in my Liberal dissenting report."

Do you want to see it?

1710

**Mr. Kormos:** Whose Liberal dissenting report?

**Mr. Marchese:** In 1996.

**Mr. Kormos:** Oh, his Liberal dissenting report.

**Mr. Marchese:** Yeah. He was an author of this report. That's why he was smiling earlier; Mario Sergio, that is.

So Michael Walker says, "There is no 'real rent control' with vacancy decontrol. Why can't politicians keep their promises to tenants? Is it because politicians think tenants don't count and don't have the power and influence of the special-interest groups? Well it appears that tenants did for a fleeting few months before the last provincial election. And they will in future elections because tenants are losing their homes due to affordability, to evictions and to demolitions—and they won't put up with it!"

God bless you, Michael Walker. You're a fine Liberal. That's why you should never join them here at the provincial level, because I'm afraid of what might happen to you too. Stay there where you are and fight this Liberal government to the end, because what they said in 1996 and what they said in 2003 never came true.

**Mr. Sergio:** I'll give you some room, Rosario.

**Mr. Marchese:** Thank you, Mario, for coming by and lending your support.

Bob Levitt makes a few other interesting remarks. I'm telling you, he's an astute observer of politics and, in general, tenancy issues.

"Page 7 of the Liberal 1996 report states, 'Vacancy decontrol hits some of the most vulnerable tenants—seniors, the poor, the disabled, students and the unemployed seeking new work.'

"Now they support vacancy decontrol. Does this mean," fellow Conservatives—

**Ms. MacLeod:** Fellow?

*Interjections.*

**Mr. Marchese:** They love it when we tease. The Liberals say, "Oh, they're so close." Do you hear her? She's so curious sometimes.

"Does this mean the McGuinty caucus no longer cares for seniors, the poor, disabled, students and the unemployed" as they did when they wrote this report in 1996?

"In 1996, the Liberal Party in opposition argued that vacancy decontrol would not create new rental housing, but now that the Honourable John Gerretsen is the Minister of Housing, they say that it will." He said that today. In 1996, no; 2006, yes. In 1996, we've got to

worry about “vulnerable tenants—seniors, the poor, the disabled, students and the unemployed seeking new work.” They get elected, they pass a new law and they don’t have to worry anymore.

It’s amazing. They get into office, and all these people are okay; they’re in opposition, and no, they’re not okay, because the Tories are evil and the Liberals are—you know what they are.

So thank you, Bob Levitt, for your comments. “The Liberal Party complained that the previous regime failed to ‘thoroughly research the impact of their proposed policies,’ but what such research has the present government commissioned to support their policies?”

“Reconsider this legislation, particularly in the areas of vacancy decontrol, landlord entry into apartments and the forced installation of smart meters.” I’ll have a little more to say on the smart meters.

My friend from Oxford used Bob Levitt’s report to talk about vacancy decontrol. It says here, “The most egregious example of the government’s biased survey was question 6,” which asks, “In your opinion, how high should a region’s vacancy rate be before the government looks at removing rent controls?”

“The only choices provided were:

“(a) 3%

“(b) higher than 3%, or

“(c) no opinion/don’t know.”

As the member from Oxford pointed out, which Bob Levitt pointed out, they never provided the choice that tenants might never want rent controls removed. The member from Scarborough Centre says, “Tenants didn’t want us to change it.” Well, because you never asked them. You never asked them, “Should we get rid of rent control?” He quite conveniently says, “Well, they didn’t want us to change the whole issue of rent control and vacancy decontrol.” You know what I’m saying.

It’s pathetic. It’s tiring. It’s exhausting. You’ve got these 48 people, the majority—by the way, the landlords loved the fact that you left vacancy decontrol there. They did. They would have been there in droves had you decided to remove rent control. That’s why only a few people came, and they complained about a couple of measures here and there, but in the end they’re as happy as flies on defecation—do you know what I mean?—because you didn’t touch them; you didn’t hurt them.

*Interjection.*

**Mr. Marchese:** What’s wrong? Vacancy decontrol is something that allows them to continue to do well in the rental market. They’re going to be as well off as before. People will continue to invest as they’ve done before. Nothing has changed. That’s why they didn’t come to assault the Liberal government. That’s why they’re as pleased as flies on you know what.

**The Acting Speaker:** I would ask the member from Trinity–Spadina to respect the House in terms of the words that he’s using.

**Mr. Marchese:** To do what?

**The Acting Speaker:** With respect to the words that he’s using.

**Mr. Marchese:** I do. Oh, I venerate this place. You don’t know how much. I love this place. I respect this assembly and I love this forum. Imagine.

So of the few landlords who came—the few; almost half were landlords. They would have been here in the thousands if you were getting rid of rent control. Yes, they complain about two or three sections, really—even smart meters, which I’m going to get to if I can, because on submetering they said, “It’s not going to work.” Tenants said, “It’s not going to work.” Then I think, “Hm,” but Mr. Brad Duguid from Scarborough Centre said—

**Interjection:** It’s the wording.

**Mr. Marchese:** Not only that—no, no; they consulted widely. I say to myself, okay, but if landlords don’t want it and tenants don’t want it, who’s left? They’re landlords and tenants—right?—close to three or four million tenants, and they said no, based on the deputations we have here, and the landlords said, “No, this is not going to work. It’s almost dumb.” Both sides are saying that it’s dumb, that it’s not going to work, and the Liberals proceed, on the basis of what evidence? On the basis of what support? Nobody wants it, nobody is clamouring for it, and yet the Liberals lead in an area that’s murky, that’s not supported by anyone? What kind of leadership is that? I don’t call “leadership” doing something that two groups of people are saying is dumb because it’s not going to work.

Moving on: There are a couple of elements that are going to help the landlord because, you see, the Liberals made some changes to the Residential Tenancies Act. They were afraid that landlords might beat them up. They were. Even though vacancy decontrol was not eliminated, they still felt they had to give them a couple of things. Let me tell you what they gave them.

Rental units used to be exempted from rent controls as of 1998. What did this government do? They exempted rental buildings that were constructed in 1991—not just in 1998 but in 1991. What does it mean? No rent controls. That means a landlord can just “jack it up as much as you want because it’s your right as a landlord to be able to raise rent.” Brad Duguid, the parliamentary assistant, said, “That’s okay. What’s wrong with that?” What’s wrong with that? Not only do you change the law, or continue with a law that says buildings after 1998 are exempted from rent control, but you go back even more retroactively to 1991. So the landlords were so pleased.

It’s a plum. It’s a few extra dollars. It’s the pecunia that greases that little wheel, and the Liberals were so happy to oblige, because often they say, “Only Tories are good to landlords.” Now you’ve got Liberals who are just equally good to landlords—equally good. Look at what they offered them: Buildings built after 1999 are exempt from rent control. Jack it up. It’s okay. The Liberals say it’s okay. Brad Duguid said to me, “That’s okay.” Marchese says, as a New Democrat, no, it’s not. No, it’s not.



Duguid is going to have five or six minutes to explain how good these things are. I don't know, maybe he doesn't have that time anymore because he's got to share his time with a couple of people.

Here's another little thing that the Liberals did for landlords. It's in section 106 of the bill. What we tried to do was to say the following in our amendment—by the way, we put an amendment to end vacancy decontrol. It lost, as you might imagine. We put the other amendment, dealing with the issue of rental units not being exempt from rent control, and we lost that too. These are biggies. Vacancy decontrol is a biggie.

1720

The other matter that I mentioned is a big one, and this is a big one:

“(a) Striking out ‘at a rate equal to the guideline determined under section 120 that is in effect at the time payment becomes due’ at the end of subsection (6) and substituting ‘at the rate of 6% per year’; and

“(b) striking out subsection (8).”

What this would have done is to allow the landlord to pay the tenant 6% interest on the month which is held by the landlord, and it is to be given back to the tenant at the end of his stay with that landlord: 6%. I remind you, Speaker, and Liberals who might not know, that the rule of 6% interest has existed for 30 or 35 years. No one had touched it, not even the Tories in their so-called Tenant Protection Act. But the Liberals did one better than the Tories. They said, “In order to balance the bill so we do not get attacked by landlords in our attempt to make a few changes for tenants to make them feel better, we've got to give away something for the landlords.” And so understand this: Instead of the tenant getting 6% interest on the last month, they'll now get only whatever inflation is, at whatever moment they need to get that back from the landlord: only inflation.

Think of this; understand the gift we're giving to the landlord. We're not talking about a person who owns a house and has to pay 6%, if it were 6%, to a person for that last month. We're not talking about a homeowner here. We're talking about big landlords who own big apartment buildings with muchos units, not just a little basement unit or a second-floor unit. We're talking hundreds of units or thousands of units.

What does the landlord do with that money that he or she gets—mostly he, but I suspect there are many “she”s as well. What do they do with the money they get from the tenant? They take it and they invest it. Yeah; they invest it. And what is the rate of return on their investment? I don't know. But I daresay the return is not 1% or 2%. I venture to guess that it could be anywhere from 6% to 8% to 10%, depending on the time and depending on the investment and depending on how smart they are. Most landlords have the smarts, including the people they pay to invest for them. The landlord is going to reap huge benefits from this change that allows them to pay only inflationary amounts, rather than the 6% rule that existed for 35 years. That's a plum. That's a giveaway. That's saying to the landlord, “Please don't

come to Queen's Park and beat us up. Please come and tell us this is really not such a bad bill. We're going to give you a couple of things in return.” And they have. God bless the Liberals.

On vacancy decontrol, the Liberal dissenting report in 1996 was very clear. They understood that—the member from York West, and the former Minister of Education, who was co-author, and I forget who else who would be known in this place. Hold on; I've got them here. Do I have them? Where are you Liberals? You must be here somewhere.

**Mr. Sergio:** We are all over, Rosario. Look around.

**Mr. Marchese:** No, no. Mon ami Alvin Curling : He was there. Mario Sergio : te voilà. Je t'ai trouvé. Tu es ici, tu vois ? Tu es ici, regarde. Je vais te le passer si tu veux. M. Kennedy, il est ici aussi. That's enough. How many people do we need? And as of a couple of months ago, we had Gerard here, Mr. Kennedy from Parkdale, as well.

Vacancy decontrol means that when you leave your apartment, rents get jacked up and then they get controlled. I've got to tell you, since the Conservative Party has done this, rents have gone up steadily everywhere, universally, in some places more than others. But tenants, the ones you were worried about, the ones that I quoted here, the ones Bob Levitt quoted that you used to be worried about—the vulnerable ones, the seniors, the poor, the disabled, the students and the unemployed, those who have the least amount of money to be able to pay for the kinds of rents they're paying in big cities, those who have the least, sometimes, not ability but opportunity to be able to do well and bring in a good income—these people are the most vulnerable under vacancy decontrol.

Those people probably don't know that vacancy decontrol is causing the rise of their rents. I suspect most Liberals understand this. That's why they're not touching it, even though in their dissenting report they said, “We are going to deal with it. We've got to get rid of rent control. We've got to deal with vacancy decontrol.” That's what the Liberal dissenting report said, but those were the days when they were in opposition. That's why I appeal to the good citizens of Ontario to bring them back to opposition. Give them the ability to have some principles, because in opposition they almost developed some principles that they almost believed in. In government, they believe in nothing. In opposition, they actually do believe it for a while. It is illusive, illusory at times, ephemeral, for sure, but at least you get the impression that they believe in it. Then when they get into government it's just not the case.

The people here who are suffering the increases in their rents, who cannot afford it, are hurting. “The supply of primary rental housing has been decreasing in the city of Toronto. In 1996, there were 350,861 primary rental units. In 2005, there were 348,148 rental units, a decline of 2,713 rental units in nine years, even after taking into account the number of new rental units built during that same period of time.” Listen to this statistic: “The



number of lower-rent units in Toronto continues to decrease. Between 1997 and 2003, the number of one-bedroom units with rents below \$700 per month shrank by 85%. The number of two-bedroom units with rents below \$800 per month shrank by 89%.” These are the figures that ought to worry a lot of the Liberals who claim to speak on behalf of tenants and who have a lot of tenants in their riding. You broke some very important promises that I hope people will not forgive you for.

Kathy Laird, the director of legal services of the Advocacy Centre for Tenants Ontario, said the following: “Rent increases will continue to be unregulated when a tenant moves, creating an incentive for landlords to evict and raise the rents,” which is what Liberals said in their minority report. “We have an affordability crisis in this province, with rising rents and fewer units.”

“In fact, there were just 1,575 vacant three-bedroom units in multi-residential buildings in October 2005, according to Canada Mortgage and Housing Corp.’s most recent rental market survey and most of these units were clearly beyond the reach of low-income” families.

We have a problem. We wanted rent control. Rent control works. The market does not work for the most vulnerable people in the province that Liberals worried about in 1996 and 2003. If you’re one of those tenants, you’ve got to face these Liberals. You’ve got to go to their offices, and face them one by one and ask them to account. You’ve got to put pressure on them, because only pressure forces Liberals to listen to you—nothing short of pressure. If you’re one of those victims of the former Tenant Protection Act, you will continue to be a victim of Bill 109, the new Act to revise the law governing residential tenancies, because nothing has changed. They have broken important promises from which I hope they will never recover. I hope you will remind them when the time comes.

1730

**Mr. Sergio:** I have a few minutes to join the debate on Bill 109. I have to say that I have thoroughly enjoyed the Oscar performance of my colleague from the other side, Trinity-Spadina. I think he would be winning the number one prize if he were on the stage.

Let me say that it’s about time that we see the end of Bill 109, a bill that started some two or three years ago. It’s part of the commitment we made to bring some changes, some fairness and some flexibility to a very important area when it comes to dealing with tenants in Ontario. The bill aims to provide safe, secure, affordable housing—an affordable place where people can live in our province. Above all, this bill as it is drafted—and it’s now in for third reading—provides our tenants in Ontario with peace of mind and protection, which they did not have before.

Bill 109 is part of our housing strategy, which was announced some time ago as well. It fulfills our commitment in improving the quality, availability and strategic investments through a variety of programs that the McGuinty Liberal government put out in the last two or three years. One of the programs, as a matter of fact, and

one we’re very proud of—I think the biggest in Canadian history—is the Canada-Ontario affordable housing program. For the first time we see an influx of some three quarters of a billion dollars for the provision of affordable housing in Ontario—some \$301 million from the feds and \$301 million from Ontario. This would result in some 15,000 new affordable units for low-income people, victims of domestic violence, people with mental illness, and a lot of seniors on fixed income. Part of that program is an \$80-million housing allowance for some 5,000 lower-income families as well.

Why did we move on at a good speed to bring Bill 109 to the House? I can commend the member from Trinity-Spadina, but I have to say that Ontario’s average vacancy rate in 2005 was 3.7%, and it’s projected that this will continue until 2008 and 2009 as well.

Average rents are static or falling. In 2005, the average rent increase was only 0.7%. Since 2003, rent increases for the lowest 20% of apartments have been below inflation. Tenants benefit from the favourable market conditions when negotiating starting rents, and the new act would give landlords greater flexibility to offer rent discounts to attract new tenants.

From 1998 to 2002 in Toronto, guideline increases surpassed increases in market-set rents: 16% versus 5.7%.

Vacancy rates are highest at the low end of the market, and rents are flat or falling for those units too. For example, in Toronto the lowest quintile average vacancy rate in 2005 was 5.5%, and rent in 2005 was \$726, a one-dollar increase over 2004.

So what’s in it? What is in this act that is really of interest to the tenant, and to the landlord as well:

With respect to tenants, this legislation is proposing to eliminate the default eviction process; all tenants are to have access to a hearing or mediation.

The annual rent increase guideline is based on a transparent indicator, the Ontario consumer price index.

Adjudicators are to consider related tenant-landlord matters in eviction hearings.

Related landlord-tenant issues could be raised in the course of a hearing. For example, an adjudicator could consider serious outstanding maintenance issues in determining whether to grant an above-guideline increase.

When there are serious outstanding work orders or serious maintenance problems, tenants can apply for a rent reduction and/or a freeze of rent.

Above-guideline increases could only be for utilities, necessary capital improvements, increased taxes and operating costs for a security system.

The new Landlord and Tenant Board is to have a more user-friendly focus and screen applications for accuracy and completeness as well. And the new board is to have lower user fees.

For tenants in care homes—and I think we have a lot of them—the notice required to cancel care or meal services is cut from 30 days to 10 days.



We have also included those occupying mobile homes. Now they can assign tenancies without the landlord's consent and would receive compensation up to \$3,000 if evicted due to conversion/demolition of a mobile home park.

I have a couple more minutes. Let me say what the benefits are to the landlord side as well, because I think the principal focus of the bill is to bring some fairness for both good tenants and good landlords. This is the most important part of the bill.

The new fast-track eviction process would cut time required to evict tenants who cause wilful damage or who impair the reasonable enjoyment of the landlord's own home. Tenants who cause wilful damage would not be able to avoid eviction by paying for damages or repairing damages, and tenants who cause excessive wilful damage could be ordered evicted immediately.

The new Landlord and Tenant Board is to have a user-friendly focus and screen applications for accuracy and completeness as well. And the new Landlord and Tenant Board is to have lower user fees.

Landlords will be able to retain interest on rent deposits to top up the last month's rent as required.

An annual rent increase guideline will be based on a transparent indicator: the Ontario consumer price index.

There is more flexibility to offer discounts of up to three months to attract new tenants, and flexibility to offer discounts of up to 2% for prompt payment of rent.

These are all positive, good things that tenants love and landlords like as well. I think this is a perfect balance. It's a good balance. It's a fair piece of legislation. This legislation is aimed at good tenants and good landlords.

#### *Interjections.*

**Mr. Sergio:** I hope that, at the end, my colleague the member from Trinity-Spadina will see the light and support this legislation.

**Mr. Brad Duguid (Scarborough Centre):** I want to begin by commending the Minister of Municipal Affairs and Housing, John Gerretsen, for the leadership he has shown on this file. This is, and was, a very complex file that was challenging in many, many ways. I think that, through the minister's leadership, what we've come up with is a piece of legislation that's fair and balanced, that will serve tenants very well and ensure that we also maintain a healthy rental market, which is in everybody's interest.

Before he heckles me here, I want to commend as well the member for Trinity-Spadina, Rosario Marchese, for his good work at committee—he did a terrific job—and the member for Oxford, Ernie Hardeman, and as well the member for Nepean-Carleton, Lisa McLeod. I think this was her first assignment. Originally, I think she considered herself an apprentice to Mr. Hardeman, but by the end of committee I think Mr. Hardeman was learning a few things as well. So I want to thank her for her good work at committee as well.

I'd also like to thank somebody outside of this Legislature, by the name of Carolyn Fenn. Carolyn is a well-

known tenant advocate who is currently in the hospital and fighting very, very hard to try to regain her health. I've known Carolyn for a good 15 or 20 years. She's a constituent of mine, a long-time supporter. She was one of those constituents who would tell you when she didn't agree with you—she'd be happy when she did—but time and time again she was always there when you needed her, and she continues to be there for us. She's fighting now for her health. On behalf of the Premier and all members of this Legislature, I want to wish her well in her efforts.

#### **1740**

This lady was an advocate for tenants for a very, very long time, particularly public housing tenants. She was an advocate for disabled persons, she was an advocate for veterans, she was an advocate for seniors and she was a long-time advocate for the less fortunate. Her entire life over the last 20 years that I've known her was spent working for the benefit of others. I hope that Carolyn can bring that same determination to her battle to regain her health. Again, I want to wish her well and send her regards from everybody here in the Legislature.

This bill is really the best tenant reform that we've seen in well over a decade. There's no question that tenants will benefit significantly once this bill, if passed today, is proclaimed. We look at a number of the areas that have improved the lot of tenants. I think back to the consultations that took place. Not only is this bill the best tenant reform we've seen in over a decade, but we also engaged in the largest amount of consultation, our bureaucrats here have told us, that we've ever had in the history of this province, in terms of tenant consultations: 10 different cities, 5,000 submissions. We heard and talked to thousands of tenants and hundreds of landlords. We listened carefully to what we heard, and I think it speaks well when you see some of the directions that this legislation took.

What did tenants have to say? Their priorities were very clear. Better maintenance was their first priority. Abuse of above-guideline rent increases was something that they raised time and time again through the public hearings. Unfair Ontario Rental Housing Tribunal processes, mainly evictions, was the other thing. These were the things that time and time again tenants talked to us about.

What did landlords talk to us about? By and large their main concern—they recognized that we were swinging the pendulum back, rebalancing the pendulum in favour of tenants. Most of them recognized that we were going to do that; we'd committed to do that. Their concern was: How was that going to affect the health of the rental housing market? It was a concern shared by ourselves and, frankly, tenants as well, because a good, healthy rental housing market benefits landlords and tenants.

So what's the result? The result is a piece of legislation that truly advances tenant protection across the province while maintaining a healthy rental market; and tenant reform, such as changes to the eviction process, where we scrapped the default orders that were taking

place. Our commitment was to take a look at the reforms, to take a look at the default process and change it from five days; maybe double it to 10, or 15. We didn't say we were going to scrap the default process, but once we consulted with tenants and talked to them across this province, we realized that that default process simply was not fair to tenants. Rather than play around with it a little bit, rather than just adjust it, we decided to scrap that default process altogether, to bring in a system that will ensure that each and every tenant who's served with an eviction notice will be able to have their opportunity to appear before the tribunal, now named the Landlord and Tenant Board, and have an opportunity to state their case if they so wish—fairer for tenants, simpler for tenants.

As well, we ensured that not only is the system more understandable for tenants, but the forms will also be more understandable. It's something that we heard right across the province that was a concern of tenants and tenant advocacy groups. This will help ensure that tenants are not evicted simply because they don't understand the system. This will ensure that when tenants are evicted, it's for a good reason, that there's a reason for them to have to be evicted.

At the same time, we've made some changes that will create some fairness for landlords in the eviction process. We've created a fast-track process where there's wilful damage involved to ensure that tenants who may be impacting on the reasonable enjoyment of small landlords or on the lives and quality of life of fellow tenants can be evicted in a quicker process when there are safety issues or wilful damage involved.

The other issue that tenants were very concerned about was above-guideline increases. We've tightened the definition for above-guideline increases to ensure that the definition of maintenance versus capital is made more clear. We've put a cap of three years on above-guideline increases, rather than the current process where there is no cap. We've reduced the amount that's allowed each year in terms of rent increases for above-guideline increases from 4% to 3%. That's real rent control. That's a real opportunity for us to be able to ensure that those above-guideline increases are fairer for tenants.

We've also made sure that those increases are not paid forever. Once a capital investment has been made and paid for, tenants' rents will be able to be lowered as a result, so the term "costs no longer borne" is now a thing of the past. Tenants will be able to benefit from that significantly, and the same goes for energy.

In the area of maintenance, we've made some key changes so that if there are serious maintenance deficiencies or outstanding municipal property standards orders, rents can be frozen; that's not only guideline rents, that's also above-guideline increases. This will ensure that landlords continue to invest in their properties. Much effort was made to water down those provisions by the opposition parties, and we refused to buckle on that because we feel maintenance is extremely important. If it wasn't the number one priority, it certainly was one of the top two or three that tenants raised with us.

I want to close by thanking all involved in the consultations: all tenants who appeared before us and all landlords who appeared before us. What we have before us is a fair piece of legislation that benefits tenants significantly, the most significant tenant reforms that we've seen in this province in well over a decade and, at the same time, a piece of legislation that ensures the continuance of a healthy rental market. We're confident that this bill will be accepted by tenants and appreciated as well by landlords, who will continue to be able to work in that healthy rental market.

#### **The Acting Speaker:** Further debate?

Pursuant to the order of the House dated May 16, 2006, I am now required to put the question.

Mr. Gerretsen has moved third reading of Bill 109, An Act to revise the law governing residential tenancies.

Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1748 to 1758.*

**The Acting Speaker:** All those in favour of the motion will please rise one at a time and be counted by the Clerk.

#### **Ayes**

Arthurs, Wayne	Gerretsen, John	Pupatello, Sandra
Balkissoon, Bas	Jeffrey, Linda	Qaadri, Shafiq
Bentley, Christopher	Kular, Kuldip	Racco, Mario G.
Bradley, James J.	Kwinter, Monte	Ramal, Khalil
Brownell, Jim	Lalonde, Jean-Marc	Ramsay, David
Bryant, Michael	Levac, Dave	Rinaldi, Lou
Chambers, Mary Anne V.	Mauro, Bill	Ruprecht, Tony
Cordiano, Joseph	McMeekin, Ted	Sandals, Liz
Crozier, Bruce	McNeely, Phil	Sergio, Mario
Delaney, Bob	Milloy, John	Smitherman, George
Dhillon, Vic	Mossop, Jennifer F.	Van Bommel, Maria
Dombrowsky, Leona	Oraziotti, David	Wilkinson, John
Duguid, Brad	Patten, Richard	Wong, Tony C.
Flynn, Kevin Daniel	Peters, Steve	Wynne, Kathleen O.
Fonseca, Peter	Phillips, Gerry	Zimmer, David

**The Acting Speaker:** All those opposed will please rise one at a time and be counted by the Clerk.

#### **Nays**

Barrett, Toby	Kormos, Peter	Scott, Laurie
Bisson, Gilles	MacLeod, Lisa	Tascona, Joseph N.
Elliott, Christine	Marchese, Rosario	Witmer, Elizabeth
Hampton, Howard	Martel, Shelley	Yakubuski, John
Hardeman, Ernie	Miller, Norm	
Hudak, Tim	Prue, Michael	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 45; the nays are 16.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It being 6 of the clock, this House stands adjourned until 6:45 p.m.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Niagara Falls	Craiton, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior- Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Trinity–Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Willowdale	Zimmer, David (L)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York North / York-Nord	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale–High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## TABLE DES MATIÈRES

Mardi 20 juin 2006

### DÉCLARATIONS DES DÉPUTÉS

#### Éducation en français

M. McNeely ..... 4769

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

#### Promotion de la santé

M. Watson ..... 4771

M. Sterling ..... 4772

M<sup>me</sup> Martel ..... 4773

### QUESTIONS ORALES

#### Subventions destinées à l'éducation

M. Crozier ..... 4782

M<sup>me</sup> Pupatello ..... 4782

M. McNeely ..... 4782

### DEUXIÈME LECTURE

#### Loi de 2006 modifiant la Loi sur le vérificateur général, projet de loi 129, *M. Sterling*

Adoptée..... 4774

### TROISIÈME LECTURE

#### Loi de 2006 modifiant la Loi sur le vérificateur général, projet de loi 129, *M. Sterling*

Adoptée..... 4774

#### Loi de 2006 sur la location à usage d'habitation, projet de loi 109, *M. Gerretsen*

Adoptée..... 4804

### MOTIONS ÉMANANT DU GOUVERNEMENT

#### Politiques fiscales fédérales- provinciales

M. McGuinty..... 4774

M. Tory ..... 4775

M. Hampton ..... 4776

Adoptée..... 4776

# CONTENTS

Tuesday 20 June 2006

## MEMBERS' STATEMENTS

<b>Chief Ean Algar</b>	
Mr. Jackson.....	4767
<b>Rouge Park</b>	
Mr. Wong.....	4767
<b>Portuguese Canadian community</b>	
Mr. Martiniuk .....	4767
<b>Education funding</b>	
Mr. Marchese.....	4768
<b>Events in Hamilton West</b>	
Ms. Marsales.....	4768
<b>Native land dispute</b>	
Mr. Barrett .....	4768
<b>Tourism</b>	
Mrs. Mitchell .....	4768
<b>Éducation en français</b>	
Mr. McNeely .....	4769
<b>Premier's visit</b>	
Mr. Brownell .....	4769

## MOTIONS

<b>House sittings</b>	
Mr. Bradley.....	4769
Agreed to .....	4770

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Mining industry</b>	
Mr. Bartolucci.....	4770
Mr. Miller .....	4772
Mr. Bisson .....	4772
<b>Health promotion</b>	
Mr. Watson .....	4771
Mr. Sterling.....	4772
Ms. Martel .....	4773

## ORAL QUESTIONS

<b>Native land dispute</b>	
Mr. Tory.....	4776
Mr. McGuinty .....	4777
<b>Environmental Bill of Rights</b>	
Mr. Tory.....	4778
Mr. McGuinty .....	4778, 4785
Mr. Hampton .....	4785
Ms. Broten .....	4785

## Environmental assessment

Mr. Hampton.....	4779, 4780, 4781
Ms. Broten.....	4779, 4783
Mr. McGuinty .....	4780, 4781
Mr. Tabuns .....	4783

## Bail violations

Mr. Runciman .....	4781
Mr. Kwinter.....	4781, 4785
Mr. Tory .....	4784

## Education funding

Mr. Crozier.....	4782
Ms. Pupatello.....	4782
Mr. McNeely.....	4782

## Nipissing University

Mr. Jackson .....	4782
Mr. Bentley .....	4783

## Global supply management

Mr. Lalonde.....	4784
Mrs. Dombrowsky.....	4784

## Accessibility for the disabled

Ms. Wynne.....	4786
Mrs. Meilleur.....	4786

## PETITIONS

### School facilities

Mr. Wilson .....	4786
------------------	------

### Identity theft

Mr. Ruprecht .....	4787
--------------------	------

### Organ donation

Mr. Klees.....	4787
----------------	------

### Long-term care

Mr. Brownell.....	4787
Mr. Hardeman .....	4787

### Fair access to professions

Mr. Ruprecht .....	4788
--------------------	------

### Education funding

Mr. Klees.....	4788
Mr. Hardeman .....	4789

### GO Transit tunnel

Mr. Ruprecht .....	4788
--------------------	------

## SECOND READINGS

### Auditor General Amendment Act, 2006, Bill 129, Mr. Sterling

Mr. Sterling .....	4774
Agreed to .....	4774

## THIRD READINGS

### Auditor General Amendment Act, 2006, Bill 129, Mr. Sterling

Mr. Sterling.....	4774
Agreed to .....	4774

### Residential Tenancies Act, 2006, Bill 109, Mr. Gerretsen

Mr. Gerretsen.....	4789
Mr. Hardeman.....	4792
Ms. MacLeod.....	4794
Mr. Marchese.....	4797
Mr. Sergio .....	4802
Mr. Duguid .....	4803
Agreed to .....	4804

## GOVERNMENT MOTIONS

### Federal-provincial fiscal policies

Mr. McGuinty.....	4774
Mr. Tory.....	4775
Mr. Hampton .....	4776
Agreed to .....	4776

## OTHER BUSINESS

### Estimates

Mr. Sorbara.....	4767
------------------	------

### Visitors

Mrs. Van Bommel .....	4769
Mr. Kormos .....	4769
Mr. Watson .....	4769
Ms. MacLeod.....	4786

### Annual reports, Office of the Integrity Commissioner

The Speaker .....	4770
-------------------	------

Continued overleaf





No. 93B

N° 93B

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

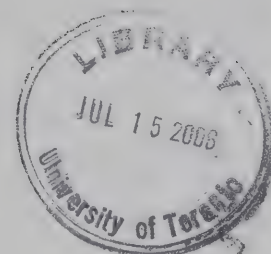
Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 20 June 2006

Mardi 20 juin 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8.  
e-mail: [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8  
courriel : [webpubont@gov.on.ca](mailto:webpubont@gov.on.ca)





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 June 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 20 juin 2006

*The House met at 1845.*

### ROYAL ASSENT SANCTION ROYALE

**The Acting Speaker (Mr. Ted Arnott):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

**The Deputy Clerk (Ms. Deborah Deller):** The following are the titles of the bills to which His Honour did assent:

Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2005, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts / *Projet de loi 11, Loi édictant la Loi de 2005 sur les parcs provinciaux et les réserves de conservation, abrogeant la Loi sur les parcs provinciaux et la Loi sur la protection des régions sauvages et apportant des modifications complémentaires à d'autres lois.*

Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / *Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.*

Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act / *Projet de loi 102, Loi modifiant la Loi sur l'interchangeabilité des médicaments et les honoraires de préparation et la Loi sur le régime de médicaments de l'Ontario.*

Bill 129, An Act to amend the Auditor General Act / *Projet de loi 129, Loi modifiant la Loi sur le vérificateur général.*

### ORDERS OF THE DAY

#### INCOME TAX AMENDMENT ACT (ONTARIO HOME ELECTRICITY RELIEF), 2006

#### LOI DE 2006 MODIFIANT LA LOI DE L'IMPÔT SUR LE REVENU (AIDE AU TITRE DES FACTURES D'ÉLECTRICITÉ RÉSIDENTIELLE DE L'ONTARIO)

Mr. Sorbara moved third reading of the following bill:

Bill 117, An Act to amend the Income Tax Act to provide for an Ontario home electricity payment / *Projet de loi 117, Loi modifiant la Loi de l'impôt sur le revenu pour prévoir un paiement au titre des factures d'électricité résidentielle de l'Ontario.*

**The Acting Speaker (Mr. Ted Arnott):** Mr. Sorbara has moved third reading of Bill 117. I recognize the Minister of Finance for his leadoff speech.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** On this absolutely magnificent, gorgeous eve of the summer solstice, it gives me great pleasure just to put a few comments on the record as we consider this bill and third reading of it as it approaches proclamation.

I just want to point out that I will be sharing my time with my parliamentary assistant, the member from Pickering-Ajax-Uxbridge. I am going to leave to him all of the really salient parts of the bill and, as usual, as he knows and some of the members of this House know, I'll just sort of go over the bill in its broad strokes.

Might I begin by suggesting that this bill represents another step—small, perhaps, but important—in our approach to investing in the people of Ontario. What we're doing here is investing in those who are of the most meagre means in the province by way of assistance with the costs of home electricity. I suggest to you and to my colleagues in this House that it builds on our achievements in previous years and positions us for, in a sense, really a brighter tomorrow.

As I said, the bill is designed to help those of more meagre means in the province; as some would refer, the most vulnerable in the province. We are helping low-income Ontarians who will need assistance with their electricity bills. We propose to provide this assistance by means of a one-time payment of up to \$120 for families with a net income of less than \$35,000, and \$60 for individuals with a net income of less than \$20,000. Research has shown that people with the lowest incomes spend more than three times as much of their income on energy costs and electricity as does the average Ontarian. Often they rely twice as much on electric heating equipment for the majority of their heat. So we have proposed the Ontario home electricity relief program to help mitigate some of these costs.

**1850**

The mechanism by which we would deliver this assistance is really quite simple: Anyone who claims the Ontario property tax credit—in other words, anyone who owns or rents their own home and falls into the income

parameters I mentioned—would be eligible for the assistance. I want to point out that to qualify for relief under this legislation, people would have to file their 2005 personal income tax returns on or before December 31 of this year; that is, 2006. Might I point out as well that we are in the midst of discussions with the Canada Revenue Agency for delivery of these payments. There is really no doubt in my mind that ultimately those negotiations will be successfully completed and those receiving assistance will do so by way of a payment made directly from the Canada Revenue Agency. That means that delivery of the first cheques could begin as soon as the fall of 2006.

In addition, I would like to point out that along with this initiative, we have also determined to double the amount of funding for the provincial emergency energy fund, bringing it to a total of \$4.2 million. This fund is designed to help social assistance recipients and other low-income households pay for utility arrears, security deposits and connection costs for electricity, hydro, natural gas, oil and other forms of energy. Of this new funding, \$500,000 will be specifically targeted for First Nations people living on reserve.

I do look forward to the debate on third reading and the passage of this bill. It is of significant assistance to families with lower incomes—as I said, \$35,000 income or less for families and \$20,000 for individuals—and as soon as we can pass this bill, we can put into place the mechanism so that these payments can go out as soon as possible. I thank you, sir, for your time in this third reading debate.

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I'm pleased to follow Minister Sorbara and his comments succinctly laying out the key elements of the legislation and its purpose. The minister was clear in saying that this is significant legislation because of the purpose it's intended for. Most particularly, the bill is intended to help those in Ontario who find themselves in the greatest amount of need. These are those in our community who often might be considered vulnerable, to some extent, or those who are living on more meagre incomes and more meagre lifestyles than some of the rest of us might be accustomed to. We think it's important for government, in a variety of ways, to support and provide some assistance to those who find themselves in those kinds of needs. That's why we're here tonight.

Effectively, the legislation really does build on a number of forms of assistance that the government has been undertaking to support those in the community who find themselves in those needs: everything from eliminating a variety of rules that discourage people from working, to increasing the minimum wage some three times so far during the mandate, to extending health benefits to those who are leaving the social assistance system for employment so that they have a transitional period whereby they can get well-established and not put at risk things like health benefits, and increasing social assistance where required or permanently stopping the flow-through for the national child benefit for 2004, 2005 and 2006 so some additional monies were left with those families. This

is another element, another means by which we can provide a degree of support.

There's no question that electricity prices, energy prices, are going to climb. They have over a period of time, and they likely will continue to do that as we work toward full cost recovery for hydro from ratepayers at the end of the day. Obviously, those who are on lower incomes are most impacted by those kinds of changes. This is not unique to Ontario; it's certainly a factor throughout North America, if not a worldwide phenomenon when it comes to energy costs. In addition to providing direct support, modest on an individual basis, but a quantum—as large as \$100 million in this one year—this is a significant amount of money.

We also have obviously a number of conservation initiatives that are under way to assist people in using less energy and thus managing their energy costs a little more effectively. It has been pointed out on occasion in this Legislature that often those who find themselves in situations of less income and are more vulnerable that way maybe aren't as well positioned sometimes to take advantage of conservation initiatives; they don't have the capacity to do that. This might assist in offsetting some of those matters as well.

We're certainly not immune to changes in energy costs here in Ontario, whether it's oil or gas or electricity. But we do want to ensure as best we can that those who have the greatest need have some degree of support from the government. One hundred million dollars certainly is a lot of money. The minister referenced that. He referenced the doubling of the emergency relief fund for those who find themselves in crisis mode as one means by which we can be there for people at the point where they find they have the greatest need.

Using the Canada Revenue Agency as a vehicle for moving these monies into the hands of those who need them is about as efficient a way as we could find to do that. The dollars can start to flow very effectively by the middle part of this year, and by the time we get to October, it's hoped that CRA will be putting those dollars into people's hands as they reach the higher energy season.

This is a finance bill that targets those of low income or low resources, so that ideally they will be able to use those additional dollars to offset some of the costs related to energy. I'm looking forward to seeing the completion of this so that CRA can do its work and those in the community who are eligible for this funding will have those monies flow to them before we reach yet another cold winter season.

**The Acting Speaker:** Questions and comments? Further debate?

**Mr. Tim Hudak (Erie–Lincoln):** I'm pleased to rise on third reading debate of Bill 117 and to hear the minister's comments, as well as those of the parliamentary assistant.

*Interjection.*

**Mr. Hudak:** I got what I wanted, eh? I got the full hour. There you go.



I'd like to bring up some points, as I did on second reading. Actually, the committee on finance and economic affairs considered this bill after second reading and even more questions came forward from the official opposition and from the third party that I know my colleague from Beaches—East York will address as well—concerns around the mechanism. Certainly nobody begrudges—in fact, we're please to see, finally, in the third year of the Dalton McGuinty government, some form of relief for hard-pressed Ontario taxpayers, albeit extremely modest.

I think we all know that the average working family in Ontario is now forking out some additional \$2,000 per year from their wallets than before Dalton McGuinty was elected. We all know about the infamous so-called health tax. That's a bit of a misnomer, because it doesn't actually flow to health care; it flows into the treasury pot at the Ministry of Finance, the same place that revenue from the slots at Casino Niagara goes, or cigarette taxes or sales tax. It all goes into the big pot.

1900

We all know about the income tax increase that Dalton McGuinty brought forward. We know about the significant hikes in hydro rates. I think it's approximately a 55% increase in the price of power, despite campaign promises to the contrary. We have seen home heating fuels increase in cost. We've seen gas prices go up. We've seen new user fees as a result of Dalton McGuinty's actions. In fact, many health care services once covered by OHIP have now been effectively privatized. Chiropractic care, physiotherapy care and optician care that before had been covered through OHIP are now on the backs of working families. If you add all of that up, for the average, typical working family in Ontario, some \$2,000 more is coming out of their pockets. So when you see extremely modest levels coming back into their pockets, at least it's a start, but it's certainly not going to redress the massive tax grab that Dalton McGuinty has made a hallmark of his administration as we head into the third year.

Let me correct a few things right off the top. This bill actually has nothing to do with electricity. In fact, one of the amendments I moved would change the title of the act to make it much more reflective of the true contents of the bill. Maybe I'll get to that a bit later. The reality is this has not a scintilla to do with electricity. It's simply a rebate. It's a rebate based on income. It's about as parsimonious as you can get. For example, if you're working hard, a tough job, not making a great wage, hoping to climb up the ladder, and you're making the massive sum of \$19,000 per year, an extremely modest income level, do you know how much Dalton McGuinty is going to give you back in this so-called rebate? Ten dollars. A shiny purple bill is coming in the mail down the road for \$10, which works out to less than a buck a month, less than a coffee a month. I guess that's Dalton McGuinty's view of generosity to Ontario taxpayers, but that's the level of rebate.

Let me make this clear: This is based on income level. It has nothing to do with electricity consumption. So some-

body making \$19,000 a year as a single individual would receive the same rebate as an individual making \$19,000 who has three or four dependants, for example. The rebate would not go up based on electricity usage; it's based on the income of the individual. So let's be clear: This has nothing whatsoever to do with usage of electricity; it's simply a rebate. It's also conceivable that somebody could benefit from this act—albeit very modest benefits, let me stress—and actually not use any electricity whatsoever. It is conceivable that somebody who was not on the grid, who had their own system and did not use electricity—hypothetically, it's possible—or somebody who is a renter who does not pay the electricity bills still would receive the rebate. So it really has nothing to do with electricity usage whatsoever, and we should be very clear about that from the beginning. It is a rebate based on income, but extremely modest levels of rebates.

Let me give you some more examples. As soon as you hit, as an individual earner, \$20,000 and up, you get zero rebate. Despite the fact that you're paying the new health tax, new user fees, higher gas prices, higher hydro rates, despite campaign promises to the contrary, you get nada, nil, goose eggs, zippo in return under Bill 117. It becomes extremely generous—and I'm being a bit facetious—at \$19,000: You get 10 bucks back in the mail. Families, no matter how many children in the family, as soon as they hit the level of \$35,000, get zero. If you make it to \$31,000, that's 40 bucks you get a year. So it's an extremely modest sum. You would get approximately \$3.50 per month as a rebate from Dalton McGuinty. Despite the hyperbole of their press releases around this issue, the rhetoric here in the Legislature, it's an extremely modest sum.

I heard my colleagues in the Legislature tonight and at committee talk about how they're trying to help out low-income and disadvantaged individuals. Well, we put that to the test. We brought forward a series of amendments that actually would increase the rebate. By way of example, if somebody were classified as a senior in Ontario or had a disability in Ontario, the Progressive Conservative Party brought forward an amendment to this bill to increase the size of the rebate. So if it's true, if the members are putting their money where their mouths are, so to speak, you'd think they would vote in favour of that amendment. Well, I'll tell you who did. I voted for it. I brought the amendment forward as the PC finance critic. My colleague Mr. Barrett, from Haldimand—Norfolk—Brant, supported the amendment, and my colleague the finance critic for the NDP, Mr. Prue, the member for Beaches—East York, voted in favour of it. But each and every one of the Liberal members voted it down. So much for trying to help the disabled or seniors with their electricity bills. A relatively modest enrichment, but an enrichment nonetheless, was voted down by the Ontario Liberal members.

Similarly, we said, and I think logically so, Mr. Speaker—certainly yourself, a proud father of three young children, will know—the more children in the household, all else constant, the likelihood of a higher



hydro bill, right? I think the Speaker has seen that in his own hydro bills. So we brought forward an enrichment that would say—

**Mr. Dave Levac (Brant):** Don't bother the Speaker.

**Mr. Hudak:** Pardon me?

**Mr. Levac:** The Speaker is neutral. Don't bug him with those kinds of questions.

**Mr. Hudak:** Well, he's very proud of his children—I think the Speaker cannot remain neutral on that topic—as he should be. They're very cute kids and fortunately they look more like his wife. No, I kid, Mr. Speaker. It's a mixture of their finest qualities. I don't want to get the Speaker mad at me.

The reality is, though, we brought forward, I say to my colleague from Brant, what seemed like a very reasonable amendment. We said, "The more children a family would have, the greater the likelihood of electricity usage." So if this bill were a rebate for low-income families based on electricity usage, then it would stand to reason that the amendment would pass. If you were a family income earner of, say, \$29,000, and you had several children, you would earn more as part of this rebate than someone with \$29,000 with no children whatsoever. But unfortunately, while I voted for it, Mr. Barrett voted for it and Mr. Prue voted for the amendment, every Liberal member, one by one, put up their hand and voted it down. So much for the connection to electricity usage and so much for support for working families. They voted that down.

Similarly, we brought forward motions that would enrich the benefit. We raised the level so that middle-income families, who are having an awful time making ends meet in Dalton McGuinty's Ontario, would get some relief—albeit modest, but some relief—from Dalton McGuinty's consecutive hikes to hydro rates. But again, while the Progressive Conservatives and the New Democrats voted in favour of it, we saw the Liberals vote against enriching the benefit to middle-class families. We also saw them vote against doubling the benefit to low-income families.

Just to make it clear, we brought forward a motion that would have said that if you were a family making \$25,000 a year—again, a very modest sum; it's awfully difficult to make ends meet and make decisions when you have a total income of \$25,000 a year. The PC motion read that instead of receiving \$100, they would receive \$200. Yet again, the Progressive Conservative side supported that, the New Democrats supported that, but the Liberals voted it down as well.

Several times we put to the test the so-called government commitment to helping out low-income families, but when put to the test, when asked to put their money where their mouths are, they voted over and over again against our amendments, kept this level of support at a very parsimonious level and refused to support very reasonable suggestions to increase it for the disabled, for seniors, for working families with young children. The Dalton McGuinty Liberals voted all of those down.

Let me make a couple of final comments. At estimates committee we asked a series of questions to the minister and the civil service about what happens to the individuals who would qualify by income level who don't file income tax. It does look like a significant number of those individuals will not get this rebate promised by the Dalton McGuinty government. It should come as no surprise, but nonetheless they will not get that benefit.

There was an answer of sorts, but it seems like the expectation would be that the Canada Revenue Agency would administer a subsequent review to make sure that anyone who missed filing has a chance to re-file their tax return to qualify. Of course, this was back for 2005 income. I think we'll see, unfortunately, a significant number of individuals who will miss out on this rebate because of the mechanism that the government is using.

I also would like to ask—in fact, I have asked—how much will this initiative cost? The government had a number of options before it. It could have, for example, rebated on our hydro bills those who qualify. In fact, this was the mechanism the government chose only a year or so ago when they charged the higher price of power to the actual cost of power. We remember that. It took a long time to get that money back from the government and no interest was returned to ratepayers, I remind you. The rebate came on the bill, so if your bill was to be \$100 and your rebate was, for example, \$20, your bill ended up being \$80. That was connected to your usage, obviously.

1910

That was a mechanism the government could have used, and in fact used a year and a half or so ago, but chose not to. I suspect they chose not to for a couple of reasons. Other people didn't notice their rebates to the extent they wanted them to. Maybe they gave credit to their local distribution company. I think that in political quarters the government decided, "You know what? It wasn't in the red envelope. It didn't have the big 'L' on it. It didn't go directly to credit the Liberal government," so they abandoned that.

Secondly, you could have done the rebate through the tax system itself, just like the numerous rebates people can qualify for through the income tax system. That mechanism was also rejected.

Instead, they've created a brand new mechanism where envelopes will be sent out in the fall this year—that is their target—in co-operation with Canada Revenue Agency. The reality is that we don't know how much that's going to cost. You're inventing something brand new, purely—let's get this straight—for political purposes. It could have been rebated on the hydro bill. It could have been rebated through the Income Tax Act, through the regular income tax filings. But at the end of the day, they chose a new mechanism. Lord knows how much of that \$100 million that has been designated is simply going to go to administrative costs. I really wonder, if somebody is receiving a generous cheque from Dalton McGuinty for \$10, how much will it actually cost to mail out that \$10 cheque? I hope the government will be forthcoming with those figures, but I worry that a sig-



nificant amount of this money will be chewed up by the administrative costs of this new mechanism. Mailing out these new red envelopes with the cheques in them to give the government political credit, in reality will undermine this initiative by taking dollars out of people's pockets.

We had what I thought was a helpful suggestion, granted a bit tongue in cheek. If they're using these envelopes to begin with, why not insert in the envelope a helpful suggestion? So I moved an amendment as follows:

"Letter to be sent with payment

"(6.1) Every electricity bill on which a deduction is shown equal to an individual's Ontario home electricity payment shall be accompanied by a letter reading as follows:"

So if you're receiving this rebate for \$10 from the Dalton McGuinty government for the massive increase in your hydro rates, we suggested also the following letter would be included. The letter would read:

"Hello. During the election campaign, I promised to freeze your taxes and your hydro rates in order to get elected. I had no intention of keeping those promises, but really, really wanted to be Premier. There is an election next year and I still want to be Premier. The enclosed cheque is an attempt to make you forget about my broken promises and the fact that your hydro bill has gone up 55% since the election. When you use this little bit of money to pay a little part of your higher hydro bill, think fondly of me. Sincerely, Dalton McGuinty."

That was the letter we had suggested would be inserted in each envelope. Unfortunately, it's not going to be the case, but we thought it made an important point. In reality, this is about achieving political points for the Ontario Liberal Party. It has nothing to do with electricity usage. It's a very modest amount of money that's going to be mailed out at extensive expense to Ontario taxpayers.

**Ms. Lisa MacLeod (Nepean—Carleton):** Can I get a copy of the letter?

**Mr. Hudak:** I'll be glad to give my colleagues a copy of the letter, which they can insert into their householders or what have you when the envelopes start going out.

**The Acting Speaker:** Questions and comments? Further debate?

**Mr. Michael Prue (Beaches—East York):** Following the member from Erie—Lincoln, he said some of what I wanted to say, but I want to say some of these very things again.

This is Bill 117, the electricity rebate bill. It has absolutely 100% nothing to do with electricity or with rebates. It has everything to do with this government trying to tell people, "Here's a little cheque in the mail. Remember us come next year."

I asked the Minister of Finance point-blank during the time we had to question him on this bill, "Does it have anything to do with electricity?" He admitted it did not. I asked him if somebody had a cabin in the woods that had no electricity coming into the cabin, whether these people would be eligible for the rebate if their income was low

enough. He said they would be. So they have no electricity, and they would be.

What about a person who has been cut off his electricity for non-payment? We have lots of those people in Ontario, who cannot any longer afford to pay for the electricity, who have run up arrears, who have been cut off and haven't paid. Will they get an electricity rebate from this government? Yes, they will. If their income is that low, they will get one even though they cannot have electricity because they have not paid their bill.

What if they chose an alternate lifestyle and have, as some people have chosen to do, their own electricity systems either through wind or solar, which is a good thing, or through diesel power, if they've put in a little Honda—

**Mr. Peter Kormos (Niagara Centre):** If they have a grow-op with an illegal hookup, they still get the cheque.

**Mr. Prue:** Or a grow-op that's illegally hooked up: They still get the cheque.

This is what this bill does. It has not one iota, not one little tiny bit, to do with the usage of electricity—nothing. The name of the bill is a complete misnomer.

Back in the bad old days of Mike Harris—forgive me for this one, member from Erie—Lincoln—many of the bill names had nothing to do with what was actually in the bill, like the Tenant Protection Act, which didn't protect tenants. This is one called the electricity rebate that has nothing to do with electricity or with a rebate. It is completely, totally misnamed. There it is.

We started to look at the contents of the bill. If you are that poor, if you are at the bottom of the range, if you earn very little money in Ontario, you will be eligible for a \$60 rebate. For all of the people out there who think, "Well, \$60 is a good thing"—and I guess it is if you're really that poor and you need the 60 bucks—that works out to 16.4 cents a day. How many kilowatt hours of electricity will that buy, I ask the members opposite? The way you have structured this, it will buy two kilowatt hours of electricity a day. Even at the cheapest rate, for those people who only use 600 kilowatts, and there are very few of those people in this province, they would use 20 kilowatts a day. This would represent only one tenth of their electricity use: 16 cents. And that's only for the cost of the electricity. That's not for bringing it in; that's not for the wires; that's not for the debt repayment or the other eight charges you charge them. That's all this is going to pay for. It is, in reality, a pittance.

The real issue is one of poverty, which this government has refused over and over and over to address. This government has allowed people in poverty to actually be worse off than they were on the day they became the government of this province. Many, many people are worse off than they were on the day you became the government. That's the real issue here. Is the 60 bucks going to help those people in dire poverty? I suppose it is. I would rather give it to them than not. But are you really making a meaningful contribution to something that you, as Liberals, should care very deeply about? The answer quite clearly is no.



I looked at all the things that are affecting people in Ontario, particularly those who are marginal, particularly those who live on very low incomes. What is affecting them?

There's the escalating cost of fuel, and they don't even have to drive a car for that. Anything that's delivered costs them. If they're required to take a taxi or a bus to go to the hospital or to a doctor's appointment, it costs them.

The cost of electricity, which this is supposed to help, has gone way out of whack, when you promised it wouldn't.

The cost of municipal taxation: You promised to help the municipalities, and most of them have not received the support. So if they own a property or if they rent a property, the costs of that have gone up.

The costs of health: If not the people at the very lowest level, then most people living in poverty have to pay a health tax.

The cost of food, the cost of clothing, the cost of everyday living have all gone up a whole lot, such that this \$60 isn't really going to cut it.

This is a government that talks about poverty; this is a government that says it's going to do something. This is your answer: a maximum of \$60 a year for an individual, a maximum of \$120 for a family, and this is somehow supposed to alleviate the poverty and the dire circumstances in which people live. It does not cut it.

1920

This government has made a very real decision in three budgets not to address the issue of poverty. In the first budget, I have to say that I was mildly—not even happy—relieved and disappointed at the same time that you gave a 3% increase to those on ODSP and those on welfare. I thought, well, that was about the inflation rate. That was at least something after all those years of getting nothing. I thought, well, that was something. But the next year was a disgrace. The next year was a total disgrace for this government, for the government of Ontario and for the members opposite who are sitting on the bench and could have and should have done something about it. There was zero in the second year, so that at the end of the second year, the people were actually worse off than they were under the previous government, because inflation had more than eaten up 3% over two years. The next year, I thought, well, maybe they're going to get back on track again, but all that came about was 2%, which was slightly under the rate of inflation. So the reality today is that people who are on ODSP or on welfare who do not have children are actually worse off under this government than they have ever been in the last 20 years. I don't know. So you give them 60 bucks, or a portion of 60 bucks, and we're all supposed to stand up and say that's a good thing.

I look at the cutbacks, the dietary allowance for people in poverty, the people who are on welfare, on ODSP who, up until this government came aboard, were eligible for a dietary allowance. The government changed all the rules. We have people phoning our office literally every

day, people in Beaches—East York and from around the province—because I am the poverty critic—who talk about what is happening to them. The money they used to get for a dietary allowance if they have diabetes—and one man from Lindsay, especially, has come and pled his case before the Ombudsman and had his money reinstated, but the government just cuts it off again. That's what you do: You cut it off again. So there's a man with diabetes, with holes in his feet, with bleeding ulcers, who requires a special dietary allowance, and you determine that he can't have it. You've cut him back, and you cut him back again and again. Even when the Ombudsman intervenes, you cut him back again. This is the reality of your government and what you do to people in poverty.

I look at the lack of social housing, what's not being built and the people in the lineups all across Ontario. The need is decent housing and housing they can afford: so that the poverty would at least be bearable. It's not there.

The most shameful of all is the clawback. The clawback, when the federal government gives \$1,500 or a portion of that per year, per poor child so that they can lift them out of poverty—\$1,500 that is supposed to go to those poor children that they never see. If they have the temerity, the unmitigated gall, if they are that unfortunate to have parents who live in poverty, parents who are on ODSP, parents who are on general welfare, then they're never going to see it, because this government chooses to claw that money back. Those kids have to go to school with not very good clothes. They have to go to school hungry. If there was one thing that you could do to alleviate poverty in children in this province, you should end the clawback. The Premier said, in opposition, that that was immoral, it was wrong and that he would end it. Here we are into the third year of your mandate, closing in on the fourth year of your mandate, and nothing has been done except that you allow them to keep the 2% increase that the federal government gives to all children. You say, "You can have the 2%, but you can't have the 98%. You can have the 3% this year, but you can't have the 97%." You give them little, tiny pittance of money and you ensure that every child who is unfortunate enough to be born into a family in poverty, a family that cannot work, a family of a single parent on welfare, a family who is disabled, a family who is on ODSP, that they can never have.

You wonder why I stand here and you wonder why we talk about 60 bucks. I want you to give the \$60 to these people, or the \$50, or the \$40, or the \$20, or the \$10. I want you to give them 10 cents if that's all you can give them, because they need it. But don't stand there—

**Mr. Kormos:** But \$1.2 billion for banks.

**Mr. Prue:** Yes, \$1.2 billion for banks is easy; that's real easy. My friend from Niagara Centre is right: It's real easy to give that kind of money, it's real easy to give all kinds of other money, but it's not easy to give it to the kids who need it.

So here you are giving \$60, or \$50, or \$40, or \$10, to people in poverty, and I'm not going to say you shouldn't. I'm not going to say you shouldn't, because



you should. But don't stand here and pretend that you're doing something for electricity rates, and don't stand here and pretend you're doing something for poverty, because what you're doing is a pittance, and you should be ashamed of yourself.

If you earn \$14,000 a year—think about this: This is anybody on ODSP; this is anybody on welfare; this is about what they get—you're going to get the whole 60 bucks, 5 bucks a month, 16.4 cents a day. Wow. But this reduces, on a sliding scale, down to nothing at \$20,000. The poverty rate for a single person in a city like Toronto, Ottawa, Hamilton or Mississauga—any of the big ones above 100,000 people—is \$21,000 a year. So when you live on \$20,000 a year and live in poverty in Ontario, you're going to get nothing. This government is going to give you nothing. There it is.

A person at \$20,000 a year, just so that we put this into perspective, would have a salary—not take-home, just a gross salary—of \$384.62 a week, or \$9.62 an hour. So if you make more than \$9.62 an hour in Ontario, this bill means nothing to you, absolutely nothing. What you're giving away to people who are marginal, to people who need the money, to families who aren't going to get it, is cut off at \$9.62 an hour, because after you meet that, there's nothing for you at all.

Are these people at \$9.63 an hour—one cent more—not suffering? Do they not have bills? Do they not have electricity that's climbing, or gas or transportation costs?

**Mr. Kormos:** "Let them eat cake," McGuinty says.

**Mr. Prue:** Well, there it is: Let them eat cake. I don't know about Marie Antoinette, but we all know what happened to her in the end.

**Interjection:** That's harsh.

**Mr. Prue:** That's harsh, and she deserved it. I'm sure I'm going to get letters about that, but I think she deserved it.

Are these people not suffering? I think they are. Do they not deserve much more? Obviously, I think they do.

You heard what the Conservative amendments were from my colleague from Erie-Lincoln, and we were pleased to support all of those. The NDP made an amendment which I thought made huge sense and would have helped to alleviate the electricity costs across a much broader range of people in the province of Ontario. But again, just as all of the Conservative amendments were defeated, so was the one NDP amendment. I would like to read that one into the record and explain what it attempted to do.

Our amendment started with the premise that we had to double the payment from \$60 to \$120 a year. That's \$10 a month for an individual who earned less than \$20,000 a year. That is not a princely sum. Literally anyone who lives in poverty in Ontario would get \$10 a month. That's where we started from.

We recognized that there needed to be a sliding scale, so if you earned less than \$25,000, you'd only get \$90 a year. If you earned up to \$30,000, it would fall down to \$60 a year. If you earned up to \$35,000 per year, it would

go down to a \$30 payment. Finally, if you earned over \$40,000 a year, it would be at zero.

What we tried to say is that not only people who are living in poverty but those with relatively modest incomes in this province are starting to be hurt very much by the high cost of energy. The Liberal members, to a person, voted no. The Conservatives—Mr. Hudak, Mr. Toby Barrett—and myself supported the NDP motion, but the Liberals all voted no. We asked them, "Why are you voting no?" In vote after vote to try to extend the amount of money, in vote after vote to try to extend the time frame in which the money was given, the answer was always the same: "This is a one-year, one-off program. It is only for one year. It is not expected to go into the future," although every single Liberal who spoke to it, both in committee and in this House, has talked about the long-range costs of energy. Every single Liberal who has voted has said this is not going away. But this is a one-time-only bill. It is for one year only.

**1930**

**Mr. Kormos:** Interesting.

**Mr. Prue:** It's very interesting.

The costs of energy, as I said, are there and are going to be there for a long time. We are not going to see energy costs go down.

**Interjection:** They'll go higher.

**Mr. Prue:** They're going higher, because there is a finite source of energy on the planet. We've already reached the peak at which oil production will take place, and although it's not simply going to dry up in one day, the actual usage of oil—and there are many statistics on this—has started to decline whereas we can no longer meet the expectations on oil. So the costs are invariably going up and they're going up substantially over the next number of years.

That's why it was ridiculous in the last election. I was there in the last election debating with members of the Liberal Party and members of the Conservative Party on television in Ontario about the energy platform of the Liberals, then in opposition, who said they were going to freeze the cost of electricity. It was untenable. It was totally, completely untenable. I said so, and I got pilloried for it: "Look at the NDP. They're going to raise your electricity rates." It was untenable. It was not right. They said it, and they said it again. Now they're saying that their plan stank and here is this little bill, this little pittance, 16 cents a day, because they were wrong. That's what this is about. If they were wrong for those who live in poverty, they were equally wrong for everyone else.

The Ontario Energy Board is increasing, or did increase on May 1, the cost of electricity by 15%, and the 4.3 cents you promised to hold in place until 2006 is now 5.8 cents to 6.7 cents per kilowatt hour.

This is a one-year program—one year—and I have to question—

**Mr. Kormos:** It's not a program.

**Mr. Prue:** No. It's a one-cheque, vote-buying, election year program of this government.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** So cynical.

**Mr. Prue:** I am absolutely cynical about this bill. I am one of the least cynical people in this House, but I am cynical about this bill. This bill should be seen for exactly what it is. This is a one-time-only cheque to come in an election year for people of modest income who will be very thankful to get the \$60 or the \$50 or the \$40 or even the \$10 you are going to send them. There it is: The cheque is in the mail a few months before the election.

This is not a bill you should be proud of. Am I going to vote against it? Am I going to tell somebody who is getting \$60 that I'm going to vote against them getting it? I don't think so. But in the end I want people to know what this is all about, and they need to know that this is not some magnanimous gesture of this government; this is something you are being forced to do because your policies have been so very, very wrong.

**Mr. Kormos:** Keep going, Prue. We got the brown envelope.

**Mr. Prue:** We got a brown envelope.

This is something you know you have really screwed up. This is a government policy that has been a complete shemuzzle from the beginning, not only the policy on energy but the policy on poverty. This is your answer in the dying days before we break for the summer.

One last aspect of the bill I want to talk about—I've been talking mostly about individuals and the \$60. Families who earn less than \$35,000 are also entitled to a rebate under this bill. But it's not really families. If you have one person in your family, a second person, that's the family rate. If you have a third, a fourth, a fifth, a

sixth, an eighth, if you have in-laws, if you have a son or daughter with special needs who is 35 years of age and still at home—we have lots of families like that across Ontario—you are capped at that second person. You are capped if there are two or five or seven. That's what this bill does, and I don't think it's entirely fair.

If this government were looking after the needs of our special people—if they were looking after the needs of our seniors, of our disabled, of our special-needs adults and special-needs children—if they were looking after the poverty of children in this province, then this bill would have been a whole lot better than it is.

All I can tell the government opposite is that this is far too little that you are doing. You could, as Liberals, be doing a whole lot more.

**The Acting Speaker:** Questions and comments? Further debate.

**Hon. Mr. Bradley:** I move adjournment of the debate.

**The Acting Speaker:** Mr. Bradley has moved the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

**Hon. Mr. Bradley:** I move adjournment of the House.

**The Acting Speaker:** Mr. Bradley has moved the adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 1936.*



## STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Bob Delaney,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Phil McNeely  
John Wilkinson, Jim Wilson, David Zimmer  
Clerk / Greffier: Katch Koch

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Ted Arnott, Wayne Arthurs, Toby Barrett,  
Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell,  
Michael Prue, Liz Sandals  
Clerk / Greffier: Douglas Arnott

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Jim Brownell  
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,  
Linda Jeffrey, Jean-Marc Lalonde,  
Jerry J. Ouellette, Peter Tabuns,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Susan Sourial

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Gilles Bisson, Michael Gravelle, Tim Hudak,  
John Milloy, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona, John Wilkinson  
Clerk / Greffière: Tonia Grannum

### **Justice Policy / Justice**

Chair / Président: Vic Dhillon  
Vice-Chair / Vice-Présidente: Maria Van Bommel  
Bas Balkissoon, Lorenzo Berardinetti,  
Vic Dhillon, Christine Elliott, Frank Klees,  
Peter Kormos, Ted McMeekin,  
David Oraziotti, Maria Van Bommel  
Clerk / Greffière: Anne Stokes

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bob Delaney, Ernie Hardeman, Rosario Marchese,  
Ted McMeekin, Norm Miller, Jennifer F. Mossop,  
Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffière: Tonia Grannum

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Deborah Matthews,  
Lisa MacLeod, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Norman W. Sterling, David Zimmer  
Clerk / Greffier: Katch Koch

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craitor, Andrea Horwath,  
Dave Levac, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Mario Sergio, Tony C. Wong  
Clerk / Greffière: Susan Sourial

### **Social Policy / Politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Chudleigh, Peter Fonseca,  
Kuldip Kular, Jeff Leal,  
Rosario Marchese, John O'Toole,  
Shafiq Qaadri, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffier: Trevor Day

### **Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

## CONTENTS

**Tuesday 20 June 2006**

### ROYAL ASSENT

The Lieutenant Governor ..... 4805

### THIRD READINGS

<b>Income Tax Amendment Act (Ontario Home Electricity Relief), 2006, Bill 117, <i>Mr. Sorbara</i></b>	
Mr. Sorbara .....	4805
Mr. Arthurs.....	4806
Mr. Hudak .....	4806
Mr. Prue .....	4809
Debate adjourned .....	4812

## TABLE DES MATIÈRES

**Mardi 20 juin 2006**

### SANCTION ROYAL

Le lieutenant-gouverneur ..... 4805

### TROISIÈME LECTURE

<b>Loi de 2006 modifiant la Loi de l'impôt sur le revenu (aide au titre des factures d'électricité résidentielle de l'Ontario), projet de loi 117, <i>M. Sorbara</i></b>	
Débat ajourné .....	4812













